

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

477
~~THE COMPASS~~ I. F. Stone
writes from Paris on the Supreme
Party ruling: "Viewed from
Western Europe, this decision
puts the U. S. into a ludicrous
position. The strongest of the
democratic capitalist states, and
the one with the smallest Com-
munist Party is the first to aban-
don basic libertarian concepts."

Daily Worker
June 12, 1951

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THE DAILY COMPASS, FRIDAY, JUNE 22, 1951

Jennings Perry is on vacation. He will return shortly.



I. F. STONE

COMPASS Washington Correspondent

Take a Look at the 'Overt Acts'
That Can Put People in Jail

Washington, June 21—Among those in the latest Communist arrests are people I know, like and respect. The spectacle of 70-year-old, ailing Israel Amter being hauled into court and of that grand old-timer Elizabeth Gurley Flynn being taken off in a patrol wagon as menaces to the Republic is so disgusting that I find it difficult to write, but here goes:

One of the best ways to wake up one's friends to the flimsiness of these Smith Act sedition cases and their danger to civil liberty is to call their attention to the "overt acts" alleged in the new indictment. These may be found in the full text as published in The New York Times today. It is worth clipping and putting away in your billfold for this purpose.

To find a section of the indictment headed "Overt Acts" is impressive. The earlier indictment which figured in the Foley Square trial had no such section.

A LOT HAS BEEN SAID and written about "overt acts" in sedition cases. The idea (broached by Spinoza in the 17th and Montesquieu in the 18th century) that it is wrong to punish a man for supposedly seditious or treasonable thoughts in the absence of proof of "overt acts" has percolated through to public consciousness. Now along comes the government with a Communist indictment which cites no less than 29 "overt acts." This looks like an improvement.

Get your friends to read these "overt acts" for themselves. Normally, in sedition cases, "overt acts" means acts designed to overthrow the government. A man who led an attack on a key government building, or distributed arms to a revolutionary group, or drew up plans for the seizure of the Capitol would be guilty of an "overt act."

Nobody has ever argued that a government does not have the right to protect itself in such circumstances.

THE FIRST THING your friends will notice is that not one of the 29 "overt acts" alleges any act of this kind. They may then recall that the Smith Act does not deal with attempts to overthrow the government by force and violence.

The Smith Act makes it a crime merely to "advocate" revolutionary ideas.

Your friends may then reread the 29 "overt acts" and find that none of them alleges that any of the 21 conspirators ever advocated overthrow of the government by force and violence. The nearest allegation of this kind is "overt act" No. 28 which says that "on or about February 16, 1950, James E. Jackson, a defendant herein, participated in a Communist Party class on revolution at 2419 River Ave., Detroit." It does not allege that Jackson himself advocated revolution, nor even that the "class on revolution" heard anyone else advocate overthrow of the American Government by violent means.

"Overt Act" No. 20 alleges that Louis Weinstock taught at the Jefferson School but does not say what he taught. "Overt Act" No. 10 says William Weinstone issued "a directive concerning teaching of Marxism-Leninism" but does not say the directive advocated action against the American or any other government.

"Overt Act No. 7" alleges that Marion Bachrach "did prepare the contents for and did mail approximately 50 envelopes from 35 E. 12th St., New York" but fails to say whether the contents were leaflets advocating overthrow of the government, pamphlets on Marxism-Leninism or Kleenex.

What kind of "overt acts" are these?

THESE "OVERT ACTS" become clearer if one keeps in mind that neither this indictment nor the earlier one alleged advocacy of revolutionary doctrine. Both alleged "conspiracy to advocate."

To prove conspiracy one need

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not prove that a crime was committed. One need only prove that the defendants conspired to commit a crime. The crime in this case was advocacy of revolutionary doctrine. The government need not prove that any one defendant personally advocated any such doctrine. All it need prove is a conspiracy to advocate such doctrine.

Now the reason why the new indictment contains "overt acts" is because the 1948 revision of the Federal criminal law substituted the general Federal conspiracy statute for the specific conspiracy provisions of the Smith sedition act. The former, unlike the latter, requires that "overt acts" be shown.

But the "overt act" needed to buttress a charge of "conspiracy" is quite different from the "overt act" one uses to prove any ordinary crime. If A is up for manslaughter and was seen striking B with a club that is an "overt act." But if A and B are up for "conspiracy," the fact that they were seen whispering together or using the same telephone booth may be cited as an "overt act." Any circumstance, however lawful, becomes part and proof of the alleged crime of conspiracy.

Unfortunately the proof in conspiracy cases tends to be circular. Thus if there was a conspiracy the fact that Miss Bachrach helped mail party letters, however innocent the contents, becomes an "overt act" within the meaning of the conspiracy statute. But how prove that there was a conspiracy? Conspiracies are usually proven from circumstantial evidence. The fact that certain letters were mailed is used to prove that there was a conspiracy and then the finding of conspiracy makes the mailing of the letters part of a criminal act.

As was once said, "in other words, a conspiracy often is proved by evidence that is admissible only upon assumption that conspiracy existed."

This was said only two years ago by Justice Jackson, with the concurrence of Justice Frankfurter, in protesting the "serious threat to fairness in our administration of justice" in "the growing habit to indict for conspiracy in lieu of prosecuting for the substantive offense itself."

But then the government would have to prove not merely that Miss Bachrach licked stamps to mail Communist Party letters but that she actually advocated overthrow of the American government—that she herself was actually "seditious."

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I. F. Stone Urges News Guild to Back Rehearing for Gates

I. F. Stone, columnist of the New York Daily Compass yesterday urged the American Newspaper Guild, meeting in convention in Pittsburgh, to support the motion for a rehearing by the Supreme Court in the case of John Gates, editor of the Daily Worker. Stone simultaneously invited other newspapermen to "join with me in forming a committee to support the pending motion for a rehearing in the Gates case."

Writing in his regular Compass column, Stone declared that "to permit Gates to go to jail is to allow a shadow to fall across freedom of the press, a shadow still small, but one which may lengthen during the coming years."

He declared:

"Theoretically, the government still has no right to suppress the Daily Worker. Under the decision handed down by the Supreme Court, it can achieve the same end by arresting everyone who works on the papers. However lawful their activities may be, whether straight reporting or routine copy editing, they are all subject to prosecution as part of the conspiracy.

"Nor does the danger end with those who work on Communist papers. If the Daily Worker's editor can be sent to jail for seditious conspiracy without proof that he ever wrote or published anything seditious, what is to prevent sim-

(Continued on Page 9)

I. F. Stone

(Continued from Page 2)

lar charges from being brought some day against other newspapermen and newspapers whose writings can be represented as "Communist."

Stone asserted that "A decent respect for the opinion abroad and a wise concern for liberty at home call for full consideration of these fundamental issues before Gates is sent to jail."

He asked: "Can American newspapermen be so exercised over the example set by Peron in dealing with La Prensa in far-off Argentina and turn a comfortably blind eye to the dangerous possibilities on our own doorstep?"

Daily Worker
6-27-51

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
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THE COMPASS' I. F. Stone,
renewing his denunciation of
the government's attack on the
CRC bail fund, asserts that
prosecutor Saypol "is choosing
just the right method to put the
government in the wrong." The
men who "risk jail rather than
throw the CRC Bail Fund con-
tributors to the wolves, will be
honored for their moral courage.
A country whose schoolbooks
honor the Boston Tea Party,
Patrick Henry and John Brown
ought not even yet to be so
far gone in hysteria as not to
see that this handful of de-
spised Reds, pinks and their
sympathizers are in the authen-
tic American tradition."

Daily Worker
July 11, 1951

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UNITED STATES DEPARTMENT OF JUSTICE
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In Reply, Please
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Stone Defends Field's Silence On Bail Lenders

Frederick V. Field has a "moral obligation not to disclose the names of the many good people who supplied the bail funds of the Civil Rights Congress," I. F. Stone, columnist of the Daily Compass, wrote yesterday.

The government "wants the names for no good purpose," Stone said. "It wants the names as part of its campaign to terrorize the Left, to make it more and more difficult for accused Leftists to enjoy the rights granted other accused persons. It wants to do by terroristic means what it is ashamed to do by legalistic means."

"No doubt the FBI could learn a lot about a great many things if they could question everyone who contributed to the CRC bail fund. They could also learn a lot if they could enter every home in New York City without a search warrant. They might also learn a lot if they could hang the other convicted Communists up in a steam room by their thumbs for 48 hours. The Law, however, is not solely concerned with helping the police. It is also concerned with protecting people against the police. At least that's how they used to teach law before the Truman era."

"It would be morally wrong," Stone said, to expose the contributors to the fund to "public smearing" by the "reactionary press and the bigots in Congress."

The contributors to the fund, Stone said, "have much of which to be proud. These are among the handful who still have the courage to put up their money to help the underdog and the persecuted."

As for the missing Communists, Stone said:

"I don't know what happened to the four missing Communists but when you outlaw a party you must expect it to act as an outlaw. The Communists are justified in treating this government as they would any repression government which denied their fundamental rights."

(Continued on Page 2)

Stone

(Continued from Page 3)

rights they still enjoy in every other democratic country in the world except this one. I don't know why they fled and I don't know whether their decision was wise, but I see no grounds for moral indignation against the fugitives; they are victims of political persecution and the law of nations has long recognized that political refugees have a right to asylum in civilized countries. . . . If this kind of thing goes on, the country will some day be as hostile to the hunt for seditionists as the North once was to the hunt for fugitive slaves."

Daily Worker
July 9, 1951

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UNITED STATES DEPARTMENT OF JUSTICE
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**FREE SPEECH RALLY TONIGHT
TO HEAR 'THE WITNESS'**

Several outstanding actors and actresses will perform "The Witness," a dramatic presentation at the "Restore Free Speech" meeting at Carnegie Hall tonight (Wednesday) at 8 p.m. The rally is sponsored by the National Council of the Arts, Sciences and Professions as a demonstration against the thought-control Smith Act.

Among the speakers are Prof. Fowler V. Harper, of Yale Law School; Dr. Jerome Davis, author and educator; Rev. Edward D. McGowan, pastor of the Epworth Methodist Church, and prominent Bronx Negro community leader; Prof. Henry Pratt Fairchild, and I. F. Stone, columnist of the Daily Compass.

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FREE SPEECH RALLY TONIGHT: This is just another reminder that there is a public rally tonight at Carnegie Hall in support of free speech and the Bill of Rights. Tickets (tax included) are \$1.20 to the public and 80 cents to members of the National Council of Arts, Sciences and Professions which is sponsoring the rally. Chairman is Prof. Henry Pratt Fairchild. Speakers include I. F. Stone of THE COMPASS, Prof. Fowler Harper of Yale Law School, the Rev. Edward D. McGowan and Dr. Jerome Davis. Public demand will be made for the repeal of the Smith Act and for support of the dissenting opinions of Justices Black and Douglas so that the Bill of Rights may be preserved for ALL citizens.—T.O.T.

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UNITED STATES DEPARTMENT OF JUSTICE
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WASHINGTON 25, D. C.

They Were There to Open A New Front for Liberty

By JOHN F. NORMAN

You know the feeling you have at the beginning of a big action—a strike, let's say, or something much, much bigger, like the Stockholm Peace movement? That was the feeling you had shouldering through the crowd out of Carnegie Hall Wednesday night after the Arts, Sciences and Professions Council's "Restore Free Speech" rally.

The fight back had begun.

You could see it even before the meeting, as the people lifted their heads high walking past the nine-man fascist picket line planted in front of Carnegie Hall. You could see it surely as the orchestra filled up and, one after another, the four tiers rising to the top of the historic old hall were closed off by the fire marshals. By the time Prof. Henry Pratt Fairchild opened the meeting there were 3,000 people there and every available standing room space was taken, while hundreds more had been turned away at the door.

I. F. Stone, veteran journalist, told why. "We are here to fight fascism," he said simply as the crowd cheered. "That is what the Smith Act means for America, and we are here to smash it before it smashes America."

Through speaker after speaker, the thought came home. Clifford Cameron, business agent of 10,000-member Local 475 of the United Electrical Workers, used almost the same words: "Labor can not permit the Smith Act to stand," he said, "or Labor itself will fall. This is no matter for Communists alone, or any one group alone, but the future of America's trade union movement. We have no other course than to fight this thing until it is wiped off the books so that men can stand up freely and say, without fear, 'I dissent!'"

And the Rev. Edward D. McGowan, pastor of Epworth Methodist Church, said: "If I remained silent while freedom is in jeopardy, I would be a traitor to Christ. For the Negro people and indeed for any Christian, now must be the time and this must be the hour of protest."

Deep furrows in the field of

ing peace and a better life for or but, and we mean to fight for it!"
Fowler V. Harper, former general counsel for the Federal Security Agency and now professor at Yale Law School, traced the consequences of the Smith Act in dictments: "When we start ransacking our college, university, public and private libraries to Elizabeth Gurley Flynn and C.

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I. F. Stone, who made clear his differences with the Communists, reminded the audience of America's tradition of "eminent unrespectability" and said: "You can mark this down—people like

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Deep furrows in the field of men's ideas were plowed by the way street and it leads directly to fascism. eminent speakers who calmly pointed out their common bond as well as their sharp differences.

And Dr. Jerome Davis, former with the Communist leaders imprisoned and indicted by the Gov. learned address to thundering opening up the second front that government witchhunters for preach democracy without any ifs, ands and

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New Lattimore Red Scare Hides

A Big Steal

Alexander Barmine, a former Russian brigadier general who worked with Soviet military intelligence, fled to this country 11 years ago. He was questioned by the FBI after his arrival. He testified before the McCarran committee Tuesday that among other things he told the FBI a story about Owen Lattimore and Joseph Barnes. Barmine said that in 1933 he heard the then chief of Soviet military intelligence refer to them as "our men."



STONE

That put the FBI on notice that both men ought to be watched. The FBI has lots of ways to watch suspects. It taps wires in cases of suspected espionage. It also puts the mail of suspected persons under surveillance.

That was 11 years ago. In all that time no charge has ever been made against either Lattimore or Barnes. Both were cleared by the FBI during the war when named to important posts involving the

handling of much confidential material—Barnes as deputy director of the OWI's overseas branch, and Lattimore as deputy director of OWI's Pacific operations.

What Barmine had to say of Lattimore and Barnes was more than a reflection on their "loyalty." It implied that they were guilty of a serious crime. The government had ample opportunity to check this. Lattimore and Barnes have a right in this case to more than the benefit of the doubt. They have a right to the inference that they did nothing wrong since no action had been taken against them.

The Barmine story may have its place in the secret files of a government investigating agency. It has no place in the public records of a responsible Senate investigating committee. If not covered by the privilege accorded by a Congressional hearing, it would subject Barmine to action for libel. It is neither fair nor decent nor honorable to make such terrible reputation-destroying charges on the basis of such hearsay.

Barmine himself said he was "very reluctant this thing should be used, for, after all, it is a very old story, and it is not from my direct knowledge." As hearsay, it would not be admissible testimony in a trial. Even under the friendly questioning of the McCarran committee, the story turned paper-thin.

When pressed by Sen. Eastland for more details, Barmine said, "I can't recall the words." He was unable to say whether the reference to Barnes and Lattimore meant that they already were in active intelligence work at the time or whether they were to be brought into it.

Barnes was asked whether this meant that the two Americans were Communists. "Not necessarily," he replied. "It doesn't assume it, but it doesn't preclude it."

Barnes and Lattimore were then working for the Institute of Pacific Relations and Barmine was asked whether this meant that IPR personnel worked knowingly for Soviet intelligence. "Some wouldn't know," Barmine replied, "and some would be dragged into it gradually."

Barmine said that Gen. Berzin "had an important plan in connection with the IPR and thought these men would be far more valuable in connection with this." Barmine did not know what "this" was.

He said that as a fellow-fugitive from the Russian purges he had a talk in Paris with Gen. Krivitsky which lasted for hours and that when the names of Barnes and Lattimore came up "he told me about them and told me they worked with the Institute." Barmine did not make at all clear, however, just what Krivitsky meant by this.

The intelligence web seems indeed to have been as tangled as in any whodunit. For, according to Barmine, Krivitsky "had had contact with people in military intelligence in the United States and said I would be amazed at the important contacts the people in IPR had." Barmine said his fellow-refugee hoped to use those contacts to help him gain admission to the U. S.

This is worth a second look. If those American contacts were contacts Krivitsky made as a Russian intelligence officer, he certainly would not be able to utilize them to get into the United States as an anti-Soviet refugee. If these contacts had been helping the Russians, they would shun Krivitsky.

The contacts would be useful in obtaining admission to the U. S. only if information had been going in the other direction, to Washington rather than to Moscow. If these American military intelligence and IPR contacts had been getting information out of Krivitsky. In that case one may suspect the Russians were not the only ones trying to use the IPR as a means of obtaining intelligence.

Adding up, we have two bits of hearsay, one recalled 18 years later, the other recalled 14 years later, both vague. Both were reported by Barmine to the FBI 11 years ago. If the McCarran committee were a responsible body, it would have heard such testimony in private and at least given Barnes and Lattimore a chance to answer before making it public.

As it is, Barnes and Lattimore have yet to be promised an opportunity to answer. McCarran and other members of his committee told the press yesterday "they did not intend to rearrange their present schedule of witnesses to hear Lattimore and Barnes." The smear is to be given a good headstart.

It is a pity to have to take this affair so defensively. Every sophisticated Washingtonian knows the truth about this performance. The foreign agents are to be found on the other side of the table, behind McCarran and McCarthy.

This is the way the China Lobby and the Franco lobby work to terrorize the State Department. Barnes and Lattimore are being flayed as an object lesson to any official who dares take an astringent view of the greedy crew now panhandling the U. S. Treasury on behalf of Chiang and Franco.

Behind these new Red-scare headlines, some of the slickest pickpockets in the capital are at work on the U. S. taxpayer.

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I. F. STONE:

Who Are the REAL Foreign Agents?

Huey Long, as shrewd a politician as this country has ever seen, once said that when and if fascism came to the United States it would come in the guise of Americanism.

Were Huey alive today, he might note acidly that most of the hue and cry about "foreign agents" is being raised by those in Washington who have been busiest on behalf of foreign powers and foreign interests.

When Sen. McCarran, with Sen. McCarthy at his elbow, resurrects a smear on Owen Lattimore and Joseph Barnes so ancient, doddering and feeble that the FBI dismissed it years ago, it is not irrelevant to recall a few items about McCarran and McCarthy. The FBI didn't think much of the remark one Russian general is supposed to have made to another Russian general 18 years ago about Lattimore and Barnes as "our men." But there is no doubt that today Franco, Chiang Kai-shek and certain Germans might well speak of McCarran and McCarthy as "our men."

ITEM: The Franco regime is in danger of economic and political collapse. It needs aid from the U. S. desperately. Months ago it hired Washington counsel of the kind that knows the ropes around the Capital to help it get the money it needs. The Franco lobby found its leading mouthpiece in Sen. McCarran.

The biggest obstacle was the anti-Franco attitude of Secretary of State Acheson and a majority in the State Department. McCarran early this year as chairman of the powerful Senate Judiciary Committee set up an investigation into "internal security" and let it be known that one of his targets was the State Department. Its officials are worried sick about smear treatment.

At the end of May (as the Spanish Ambassador foolishly disclosed on June 1 to the Associated Press), McCarran staged the kind of scene in his office that is a lobbyist's dream. In the presence of the Spanish Ambassador, he called in a deputy Under Secretary of State, the head of the State Department's Spanish division, the president of the Export-Import Bank, with two aides, and the program director of the ECA. McCarran put them on the carpet about aid to Spain.

The covert threat McCarran wields is to give officials who defy him the kind of treatment he gave Lattimore and Barnes, whom he has smeared as "foreign agents." The most conspicuous "foreign agent" in this picture is McCarran himself.

ITEM: The Chiang Kai-shek regime faces collapse if American support is withdrawn. Its lobby is one of the best-heeled lobbies in the capital. One of its best mouthpieces is McCarthy. McCarthy is an enterprising Senator, never reluctant to earn an honest buck, as he did when he collected \$10,000 for writing a booklet on housing for a corporation (Lustron) which went bankrupt after borrowing \$37,500,000 from the RFC.



STONE

McCarthy's Red smear attack on the State Department last spring did not stand up on examination but served Nationalist China's purpose. It helped to reverse Administration policy on Formosa, to bring about increased aid to Chiang and to put John Foster Dulles into the State Department. Dulles agreed with Chiang on both Formosa and Chiang's pet project of a Pacific Pact.

For the Nationalist Chinese, the McCarthy attack was the equivalent of a hot box torture chamber in which the State Department was forced to sweat it out. If we are going to investigate foreign agents, what agents are more ubiquitous and more powerful than Chiang's, the men behind McCarthy?

ITEM: Less obvious but as pervasive is the influence of reviving German interest in Washington. Almost two years have passed since a subcommittee of the Senate Armed Services committee in a unanimous report asked the Departments of Justice and Defense to investigate what it called an international conspiracy in the Malmédy affair.

There was a formal report on Oct. 13, 1949, by this subcommittee, under a Republican, Baldwin of Connecticut, into the alleged mistreatment by Americans of the SS men responsible for the Malmédy massacre of 350 unarmed American prisoners of war and 100 Belgian civilians in the Battle of the Bulge.

The investigation was precipitated by a campaign by McCarthy for "fair play" and "fair trial" for the SS men. The committee asked the Justice and Defense Departments to look into evidence that behind this affair was "a plan to revive the German nationalistic spirit by discrediting the American Military Government" and pave the way for a new deal between the German military and the Soviet government.

Nothing was ever done about this report, but if we are going to investigate foreign agents, what better place to start than with these formal recommendations of a Senate committee?

Who were the Germans and Americans who ran the campaign in behalf of the Malmédy slayers and used it to smear the American government? What was the relationship between these people and Sen. McCarthy?

THE REAL PLOT: Surviving elements of the Axis, with Franco, Spain and Nationalist China, have begun through proven Red scare techniques and smart lobbying to take over Washington and to make America an unhealthy place for all who fought them in the past.

The phoenix of Fascism is rising from the ashes of defeat, and the McCarrans and McCarthy are making Washington the hub of a new Axis. This is the reality behind the rubbish McCarran and McCarthy are rehashing.

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REASONABLE BAIL

A Letter — And a Check

By TED O. THACKREY
Editor and Publisher

Yesterday I received a certified check for \$2,500 from a COMPASS reader to be used together with funds of others to provide bail for any Smith Act defendant not yet tried but in jail because of inability to raise acceptable bond.

A letter making the offer—from a Brooklyn resident—was mailed July 24 from a camp at Lakewood, Skowhegan, Me. It promised that a check would be forthcoming if I advised the writer other funds were available to complete necessary bail. Wednesday, the writer telephoned me from New York. Yesterday morning the certified check came. I've turned over both letter and check to Harold Cammer, attorney for a number of Smith Act defendants (assigned by the court), three of whom were still in jail for lack of bail at this writing.

But I thought you would like to read the July 24 letter:

"Dear Mr. Thackrey:

"I have been reading your editorials and I. F. Stone's straight-from-the-shoulder columns on the maneuvers and manipulations of our District Attorney's office to deprive so many individuals of their right to freedom on bail. It makes me ashamed that our government stoops to such depths to keep these men and women in jail before they have had their day in court.

"United States bonds, and even cash, are rejected. Pimps, racketeers and even professional murderers are granted bail but these 17 are hounded, deprived of opportunity to discuss their case with counsel, to rally friends to their assistance for no apparent reason other than that they disagree politically with Saypol. Higher court rulings are disregarded. They who see the injustices are intimidated.

"I have been visiting my children at their summer camp. This has made me conscious of what it means to Simon Gerson, who I read has not been permitted to visit his children. For what reason, other than to torture him and his family?

"I have never met Simon Gerson but I do recall he was highly regarded by Fiorello LaGuardia, was an assistant to Borough President Isaacs and was a candidate for office.

"Friday's Compass (last week's) has just arrived here and I read of the offer of other readers, and your appeal. I don't have enough funds to offer bail for Gerson, Claudia Jones or any of the others, but I can and am willing to put up \$2,500 in cash with you or I. F. Stone. If you can get others who would do the same it may be possible to effect the release of these political defendants. There must be many like myself who may or may not disagree politically with these defendants but who will champion their right to freedom at least until they are proved guilty.

"My offer is not restricted to Gerson or Claudia Jones (who may have been released before this letter reaches you). [Editor's Note: They have been.] It holds good for any of the defendants whom you deem guilty of no crime except that they think politically differently from the prosecuting attorney.

"I can be reached here until July 30, thereafter at my home 812 Avenue N, Brooklyn. If my funds can be used for this purpose together with the funds of others for the release of one or more, you need only write, wire or phone.

LEW (LOUIS H.) FRISHKOFF

I repeat: denial of the right to bail, and the setting of excessive bail to achieve the same result, does no damage whatever to communism; what is destroyed is a fundamental guarantee laid down in our OWN Constitution.

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Los Angeles, Aug. 10 — The biggest news out here is that the Southern California branch of the American Civil Liberties Union is helping in the defense of the 11 Communists arrested in California two weeks ago under the Smith Sedition Act.

Although Roger Baldwin, on the eve of a series of talks in Los Angeles, told the local Daily News that the ACLU would not appear in court in defense of Communists, A. J. Wirin, counsel for the Southern California chapter, has been taking an active part in the new cases.

Wirin appeared as amicus curiae to argue for lower bail and he is also taking part in the attempt to force the presiding judge, Federal District Judge James M. Carter, to disqualify himself for bias.

Indicative of the more militant attitude of the ACLU here was the publication of a half-page advertisement in the Los Angeles Times Aug. 2 by the Southern California branch. The advertisement carried excerpts from the dissenting opinions of Justices Black and Douglas in the Dennis case and from the misgivings expressed by Justices Frankfurter and Jackson in their concurring opinions in that case.

The advertisement was signed by Wirin as counsel and the four officers of the Southern California branch: J. W. McNair, president; Edmund Cooke, vice-president; A. A. Heist, executive director, and J. B. Tietz, secretary. The ad said the ACLU had opposed the Smith Act since it was first introduced in Congress, and would participate independently in further cases arising under the act.

None Can Raise Bail

Latest bail set for the 11 arrested here is \$75,000 for "Slim" Connolly, Los Angeles editor of the People's World; West Coast Communist daily; \$50,000 each for the other seven men arrested, and \$25,000 each for the three women. None has been able to raise bail.



STONE

Wirin argued that bail of \$2,500 would have been ample and that no case should bail have been higher than \$5,000. He pointed out that much lower bail had been set in wartime sedition and draft cases in which the ACLU had helped defend fascists and anti-Semites arrested here during the last war.

The ACLU counsel cited the bail fixed in the prosecution of the Leaders of Mankind, United, a California crackpot rightist outfit for obstructing the draft. In that case the bail asked for the leader of the group was \$50,000 but this was reduced on appeal to \$10,000 while his followers were released in bail of \$2,500 and \$3,500. Even after conviction, Wirin recalled, the leader of Mankind, United, was allowed his freedom on 15,000 bail during the appeal while his followers were out at that time on \$5,000 bail.

The big issue out here in the first phase of the California cases is excessive bail. The question of right to adequate counsel has not arisen, since there seemed to be no difficulty in obtaining lawyers for the defense in California.

Most of these lawyers, like Ben Margolis in Los Angeles and Richard Gladstein in San Francisco, have appeared in many radical cases. But several are criminal lawyers who have not hitherto appeared in defense of Communists or other radicals.

One of the latter, Daniel G. Marshall, is also well known as a Catholic layman. In a famous case several years ago he represented

two Catholics, the man a Negro, the woman white, who had been denied a marriage license under a California miscegenation statute. Marshall said the statute interfered with freedom of religion since the church was willing to perform the sacrament of marriage. He was upheld and the law declared unconstitutional.

Marshall is representing Connolly. One of the instances of alleged prejudice in the 13-page affidavit of bias and prejudice filed against Judge Carter is that he said to Marshall, "I am sorry to see you getting mixed up with these Commies, Dan. They're just trying to use you."

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San Francisco, Aug. 13—I'm sorry to report that the West Coast is in just about the same state of mind as the East. Everywhere one encounters the same evidence of the same kind of terror. In Hollywood nobody with a job in the movie industry dares open his mouth to say anything which might remotely be considered radical or liberal, and the film capital is tensely waiting the Un-American Activities Committee hearings to be held in Los Angeles in September.

Northern California exhibits the same state of mind. The loyalty oath fight in Berkeley has petered out, with some very distinguished ex-liberals and ex-radicals now hiding under their beds, while the student body seems to have sunk generally into a kind of apathetic what-the-hell's-the-use cynicism.

In San Francisco, even California's one "liberal" newspaper, The Chronicle, has been silent on the Smith Act and the new sedition arrests. It campaigns for greater aid to Chiang Kai-shek and a bigger Air Force and hails Herbert Hoover as "a statesman vindicated by time."

It did have a strong editorial today against deportations, but the deportations on which it dwelt so eloquently were not the mounting toll of deportations under the McCarran Act but the deportations behind the Iron Curtain. Nowadays liberalism seems to begin and end away from home. As far as newspaper work is concerned, Fremont Older's home town has become the stamping ground of journalistic rabbits.

There the terror has hit not only the so-

called intellectuals but the most important sector of the labor movement, the long-shoremen. Only longshoremen who have been screened for "loyalty" can work on military cargo, and there is little left along the West Coast which is not military cargo. The procedures for "screening" are much like those of the loyalty oath in Washington; there are hearing boards at which the accused may appear with counsel but he has no right to know either the accusation against him or its source. In the unlikely event that the accused wins before the board or the Appeals Board in Washington, the favorable decision is not binding on the Coast Guard Command which is in control of the West Coast ports.

Anybody who knows anything at all about the West Coast knows that waterfront interests are not slow to use this against labor militants of all kinds, and anybody who knows anything about human beings will guess that longshoremen are just as scared of losing their jobs as college professors. The guess is correct.

Yet it would be a mistake to assume from this bird's-eye view that the fight for freedom on the Coast is lost. I had the honor last night of speaking at the biggest mass meeting the left-of-center in this wonderful city has held in a long time. The meeting was at Civic Center. Its theme was to protest the new arrests under the Smith Act. Every seat in Polk Auditorium was filled and there were several hundred people standing in

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the rear and sitting in the aisles. The meeting was sponsored by an unusual group of seven leading citizens. These included Mrs. Josephine W. Duveneck, one of the foremost Quakers in California, head of the California Federation for Civic Unity, a very respectable group working in the field of interracial relations; Jonathan Rowell, son of Chester Rowell the founder of the San Francisco Chronicle; Leo A. Sullivan, a well-known Oakland criminal lawyer who volunteered to defend one of the newly-arrested Communists; Gordon F. Irvine, a respected old-timer in the labor movement, who is chairman of the State Legislative Bureau of the Brotherhood of Locomotive Firemen and Engineers; the Rev. Hubert F. Doran, pastor of the Community Church in Pittsburgh, Cal.; Charles Duarte, President of the Warehousemen's local of the Longshoremen's Union; and Dr. Carlton Goodlet, publisher of the San Francisco Sun-Report.

largest Negro newspaper in northern California.

Sidney Roger, the last fighting liberal voice on the radio on the West Coast, was chairman of the meeting. Robert W. Kenny, former Attorney General of California, flew up from Los Angeles to address the meeting and it was a pleasure to see that "Bob" Kenny was as cheerful and as full of good sense and human kindness as ever. Dr. Goodlet and I were the other two speakers. There were small delegations present from all over northern California, and the kind of people turned up for the meeting who had not been seen around left or liberal causes for many a moon. Like our own recent Carnegie Hall meeting in New York, the meeting here gave everyone a lift. I'll have more to say of the West Coast tomorrow.

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The Case Of The Reformed Mouthpiece

San Francisco, Aug. 14—One of the men I was curious to meet on the Pacific Coast was Vincent Hallinan. His personal story might be an Erle Stanley Gardner, "The Case of the Reformed Mouthpiece." Indeed Harry Bridges' lawyer might almost have been the model for Perry Mason: a handsome six-footer, an apparently incorrigible bachelor for many years, one of the ablest criminal lawyers in California, a turner-upper of surprise evidence, a terror to the police, impervious to contempt citations, cynical, sharp and quick on the trigger.

What had made him change suddenly in his latter years, becoming a lawyer for radicals and himself a radical? What led him to defend Harry Bridges, to become a member of the executive committee of the Progressive Party, to offer his services as counsel to the Communists recently arrested in California?



STONE

Hallinan asked me to come out to his place in Ross, California, across the Bay from San Francisco Sunday. He lives in a big old-fashioned 20-room house, set on an enormous lawn, at the other end of which is a private gymnasium and swimming pool. He lives there with the charming wife 15 years his junior whom he married at the age of 35. They have six boys, ranging in age from 17 to 3. "I never wanted

marriage or kids," Hallinan told me, "I always felt life was too tough and too dangerous to bring children into it. I agreed with Schopenhauer that the only way to controvert fate was to stop breeding and let life die out."

Hallinan is no longer a pessimist. He is 54 but looks 10 years younger. He has become an expert diver and skier in his "old age" and teaches his boys boxing. "If they're going to be radicals," Hallinan says, "they had better learn how to fight physically, too."

Hallinan's parents were born in Ireland. He was born in San Francisco, one of eight children. His father was a street car conductor all his life on the San Francisco cable cars. Hallinan was educated at St. Ignatius high school and college, a Jesuit institution. "There are 17 of those outposts of darkness in this country," Hallinan said. "From the time I was 10 I worked. I worked my way through college and night law school. When and how did I decide to become a lawyer? I don't know. In between the times Ma wanted me to be a priest she wanted me to be a lawyer. I was always an argumentative kid. When I was young I had a brilliant but narrow mind. I was a great favorite of the Jesuits and they almost sold me on the priesthood but I already had my doubts I suppose."



HALLINAN

"These doubts did not surface until I was in my early twenties. One day I was waiting for a street car near a bookstall and my eye fell on a copy of Tom Paine's Age of Reason. I sort of recoiled for I knew what the book was. Then I picked it up gingerly. I opened it to the page where Paine wrote, 'Of all the arguments in favor of the divinity of Christ that based upon his miracles is the most obvious to refute, as though Almighty God would go around like a showman working tricks to prove He was telling the truth.' My eyes almost popped out. I bought that copy and began to read it. By the time I got home that night I was an atheist."

Hallinan's eyes were opened to other things. "I was working at the time for a lawyer named Daniel A. Ryan and I think I began to see almost from the start that law was made for the rich, not the poor, that wealth and power took precedence over justice, but I looked at this cynically. It didn't interfere with my success."

The first case Hallinan tried was one which looked so hopeless that other lawyers had turned it down. It was a will contest, and it was given Hallinan the day the statute of limitations on it expired. "It was a three-day jury trial," Hallinan recalled, "and I didn't sleep for three nights." Careful preparation made it possible for him to catch the beneficiary in a lie on the witness stand. He won the case.

Hallinan's next case, the first of several in which he was to be punished for contempt, was the defense of four people accused of murder for profit. Public feeling had been whipped up against the defendants. The Hearst paper in San Francisco had even hired a special prosecutor to help try the Hallinan was twice found of contempt and fined \$250 for objecting to inflam-

matory passages in the prosecutor's summation.

"When the jury came in at midnight there was a big crowd on the courthouse lawn waiting to lynch the defendants if there was an acquittal. I had an eight-cylinder revolver with me in case they tried. The jury was so frightened it brought in a non-sensical verdict, second degree murder. I got a reversal, chiefly because of the prosecutor's inflammatory summation, a change of venue, a new trial, and an acquittal."

The Hanford murder case, as it was called, launched Hallinan on a career as trial lawyer which made him a wealthy man. He was soon recognized as one of the ablest in California, particularly in cases involving medical malpractice. "I knew as much about medicine," Hallinan said, "as most doctors."

How this rich "mouthpiece" tuned radical and what happened to him as a result must be left till tomorrow.

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I. F. STONE WRITES

How a Rich 'Mouthpiece' Turned Radical

This is the second of three articles on Vincent Hallinan

San Francisco, Aug. 15—One of the lawyers who has come forward to defend the Communists recently arrested in California under the Smith Alien and Sedition Act is Vincent Hallinan, one of the two or three best criminal lawyers on the Pacific Coast. Hallinan is about as close to Erle Stanley Gardner's dashing lawyer-detective Perry Mason as anything to be found outside the pages of a whodunit.

Sitting with him beside the big private swimming pool on the grounds of his lavish home in the Bay Area, I tried to find out what turned this wealthy "Great Mouthpiece" into a radical (he is now a member of the executive committee of the Progressive Party) and a defender of radicals (he faces a year in jail for contempt of court as counsel for Harry Bridges).



STONE

"Once I got launched on my career as a lawyer," Hallinan related, "I didn't pay much attention to radicals, though as a youngster I already had socialist leanings. I remember being thrilled about the Russian revolution and when I got out of the U. S. Navy in World War I the first vote I cast was for Eugene Debs.

"What happened to make me sympathetic to the Russian Revolution and to socialism? Maybe it was my old man. He worked as a conductor on the cable cars in San Francisco 14 hours a day, seven days a week, 365 days a year for \$70 a month.

For many years he never got a day off and every amelioration of his lot as a worker was won with blood and blows. I didn't read Marx until some years later and he changed my outlook but only in an intellectual sense.

"I felt sorry for the poor but I was determined to get mine. I had a good deal of contempt for the common people. I felt that if they, with their superior numbers, were too stupid and ignorant to take the government away from their masters, then their misery served them right. I helped collect arms for the Irish revolutionaries—de Valera is my cousin—and I helped collect arms for Indian revolutionaries in the twenties but that was the extent of my political activities. I looked on radicals as people who waged a brave but futile fight. I guess in my cynicism I was more of a Nietzschean than a Marxist.

Saw Law as a 'Racket'

"Gradually I became more and more disgusted with the law. I began to regard it as a racket. I felt that the courts were mere devices by which wealth and power exercised their control over ordinary people. Instead of sending out a troop of retainers to seize your land, as might have been done in feudal times, they went into court and foreclosed it. On the other hand, if a wrong was done a poor man, it might take ten years to get justice, if he was lucky.

"I had a case in which I sued the Shell Oil Company on behalf of the widow of a man who lost his life through the company's negligence. I had to try that case five times. Every time I won the trial, the company would get the verdict reversed on appeal. The first time I tried that case I had the dead man's little children sitting in the courtroom. The last time I tried it, one of his daughters was in a hospital having a baby. It took 12 years of litigation to make the company pay for that man's life. By the time it paid, the money was no longer needed. The children had grown up. The widow had remarried.

"The jury system out here was fixed to make it almost impossible for a poor man to win a suit against any of these big companies. We had a jury commissioner who was at the same time conducting an open gambling establishment and when he died a man named Thomas Mulvey inherited both. He would put on the juries people picked by the street car company or the insurance companies. I was one of the few who could get verdicts even out of his planted juries.

"I began a running fight with Mulvey, making three separate attempts to get his petit jury panels disqualified. However, he had control of the grand jury, too, and used it the way the government is using it now. He had me and four of my associates indicted twice. He was a Knight of Columbus and would

put a lot of his lodge brothers on the grand jury and then tell them I was a renegade Catholic. He got indictments for perjury, subornation of perjury and conspiracy to suborn perjury. These were all thrown out in court.

"Other lawyers finally came to my aid and we succeeded in changing the method of picking petit juries, which are now picked by lot. Grand juries, however, are still hand-picked by judges, blue ribbon jury style. The last time I had Mulvey on the witness stand, he swore neither he nor his wife had any stocks, bonds, or real property, that all he owned in the world was the money he had on him. But when he died a year later and his safety box was opened they found \$200,000 in cash in the box."

Hallinan said he got "pretty fed up" with the law. He had already made a fortune. In 1948, he went into semi-retirement. But later that year he joined the Wallace movement and became counsel for Harry Bridges. This has led to the biggest fight of his career, one which may end in jail if the government has its way.

But what happens to a criminal lawyer who suddenly turns Left must be told tomorrow.

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I. F. STONE WRITES

What a Lawyer Faces When He Goes Left

This is the third and last article of a series on Vincent Hallinan.

San Francisco, Aug. 16—What if Erle Stanley Gardner's dashing lawyer-detective Perry Mason suddenly turned left and put his razor-sharp wits at the service of radicals? Vincent Hallinan, facing a year in jail for contempt as the aftermath of his appearance as defense counsel in the recent trial of Harry Bridges, knows the answer.

Son of an Irish street car conductor, Hallinan worked his way through night law school, became one of the two or three best criminal lawyers on the Pacific Coast, made a fortune and then went into semi-retirement in 1948 in a mood of disgust with the law and the courts. Now in his fifties he has emerged as a radical and counsel for radicals, and is one of the lawyers who came forward to defend Communists recently arrested in California under the Smith Alien and Sedition law. I interviewed Hallinan beside the private swimming pool on his country estate in Ross, California, just across the Bay from San Francisco.

"Not until I got into the Bridges case," Hallinan said, "did I realize the lengths to which the government would go to destroy a political opponent. For all my cynicism about the law and the courts I thought the government was too strong in its position to have to stoop to such things. Not till then did I realize how fully the existing order owns the government and the courts, and that to preserve its privileges and prerogatives it will employ the tactics and display the morals of ordinary gangsters."

How did he get into the Bridges case? Well, he first met Bridges at the Progressive Party convention in Philadelphia in 1948. And how did he happen to become a delegate to that convention? "It all happened so naturally," Hallinan said, "that I can't recall the exact circumstances. I had bought this place and gone into semi-retirement early that year and written a book, 'Tongues of Gold,' on legal tactics, a kind of cynical and sarcastic work which I am now rewriting in a quite different mood as a result of my experiences in the Bridges case."

"I never paid much attention to politics because I never thought the common people had much chance but I voted for Al Smith in 1938 because I felt he was being discriminated against as a Jew. And I always voted for Roosevelt. Maybe semi-retirement gave me more time to think. Anyway, when the Progressive Party was formed I felt it gave ordinary people a chance to take over and do something about war. I made a contribution to Aubrey Grossman, whom I knew as a lawyer, and then I found myself a delegate. I first met Bridges at the convention."

Bridges had been warned that if he went off the Truman Administration political reservation, the government would resurrect the old charges against him. Three times the government had tried unsuccessfully to deport Bridges as a Communist. In the spring of 1949 it had him indicted on the ground that in obtaining citizenship in 1945 he had sworn falsely that he was not a Communist.

Hallinan became Bridges' counsel and found himself up against an old antagonist on the bench, Federal District Judge George B. Harris. An associate of Harris's demanded half the \$20,000 fee earned by Hallinan in a fraud case. When suit was filed for a half share in the

much more formal than here what I did would not constitute contempt." A series of actions aimed at Hallinan and his associates began once the trial was over.

"First income tax inspectors came out here and began to go over my income tax returns back to 1940," Hallinan said. "Then they got a woman convict to testify that one of my associates had persuaded her not to reveal the name of a man who employed her to pick up a packet of narcotics. He was given three years in jail and the woman was paroled. Then they indicted me and two associates for conspiracy to defraud the government in an income tax case, a sheer invention as the trial which opens on Sept. 17 will show. And more recently, on my return from abroad the State Department tried to take my passport away from me."

"When the agents asked for my passport, I asked them to tell me why they were lifting my passport and what authority they had to do so. That seemed to stump them. I refused to give up the passport."

This accumulation of legal actions has not deterred Hallinan from appearing as defense counsel in the new arrests of Communists on the coast. "Perry Mason" does not scare that easily.

"If the defense had done in that case what the government did I would have been disbarred," Hallinan recounted. "Three men testified they had seen Bridges elected to the executive committee of the Communist Party in New York in 1936. We proved that Bridges was in Stockton, California, at the time and we forced one of those three perjurers to admit perjury on the stand. We caught the prosecution actively concealing records from the court to hide this perjury and trying to get one of the perjurers out of the jurisdiction to save him from exposure. All three, as I told the jury, were professional anti-Communist witnesses from that stable of trained cobras, liars and perjurers who go around from trial to trial!"

The perjurers were never indicted, but Justice Department lawyers, according to Hallinan, went around making speeches asking for his disbarment. "The Haldane Society in England," Hallinan said, "made a report saying that even in England where the relations of bar and bench are

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I. F. STONE: A Challenge to Truman

Give Us Deeds, Not Words, In the Fight on McCarthyism

President Truman's favorite rejoinder, every time the Russians speak of peace, is to ask them for deeds, not words. I would like to see Mr. Truman give us deeds, not words, in the fight against McCarthyism.

In the absence of some concrete action, it is going to be hard to escape the conclusion that he is either a demagogue, trying to play both sides of the street, or a badly muddled man. I lean to the latter interpretation, but am about ready to admit that maybe it doesn't make such difference which he is.



STONE

Mr. Truman's confusions on the subject of civil liberty go back quite a way. In 1947 he opposed a Republican bill for the establishment of loyalty procedures for government employes. But he himself wrote an executive order establishing such procedures which was less fair to government employes than the Republican bill to which he objected.

Several times, most recently in vetoing the McCarran bill, Mr. Truman said he would never permit another "alien and sedition" law period in this country. But long before the McCarran bill was passed over his veto, Mr. Truman instructed his Attorney General to initiate widespread deportation raids on aliens and to begin seditious conspiracy prosecutions against Communists.

Now Mr. Truman has made two speeches in which he took a whack at McCarthyism. These speeches may look like pot-and-kettle stuff to political sophisticates who know what has been going on in this country. But most people are not politically sophisticated and are too tired to read the papers carefully when they get home from work in the evening.

In the perspective of real politics, the attacks have great value. They reflect and stimulate a growing sense of uneasiness. People are becoming aware that the atmosphere is being poisoned by Red smear attack and that the country is being intimidated. The Red scare is being used here, as it was in Germany and Italy, to prepare the way for Fascism.

Mr. Truman dodges around so much in this picture that one can never be quite sure whether he is rallying a rearguard defense or leading the vanguard of the attack. But when he picks an American Legion meeting as his forum for a lecture on the dangers of Red-baiting, one cannot help admire his spunk and once again give him the benefit of the doubt.

Mr. Truman owes it to himself and to the country to demonstrate his sincerity with some good concrete action. The best way to fight McCarthyism is by example. There is no better preachment than practice. Here are a few suggestions as to what Mr. Truman could do as a starter, within the limits of his own stated principles.

1. **MR. TRUMAN CAN REINSTATE DOROTHY BAILEY.** If he believes in "the basic principle of fair play that underlies our Constitution," he can prove it by restoring Miss Bailey to her job in the U. S. Employment Service. For Miss Bailey was branded

WRONG NUMBER

Whittaker Chambers, self-described ex-Communist courier, testified Thursday before the Senate Internal Security Committee that he had been informed Frederick V. Field was head of a Communist group that held meetings in 1937 at the home of Field's mother on Central Park West.

Harold I. Cammer, attorney for Field, issued this statement Friday:

"Public records will confirm the fact that Whittaker Chambers' testimony yesterday that there were meetings in the home of Mr. Field's mother on Central Park West is inaccurate. Mr. Field's mother died before the time of the alleged meetings. Furthermore, Mr. Field's mother did not live on Central Park West at any time but maintained her residence at 645 Fifth Ave."

disloyal and ordered discharged in one of the weirdest trials ever held in this country.

Everything on the record was in her favor. The only "evidence" against her was evidence which was never disclosed to her, and even her judges were never told the source of this evidence. As Miss Bailey's counsel, Paul Porter, told the Supreme Court last Fall she was convicted by "nameless investigators who certified her nominal judges that her nameless accusers were reliable." Miss Bailey was never told what those nameless accusers said and therefore never had a chance to deny or disprove the accusation.

That is hardly fair trial. That is McCarthyism in action. But this was done by the Truman Administration's loyalty agencies, not by the Wisconsin Senator.

2. **MR. TRUMAN CAN REINSTATE JAMES KUTCHER.** Like Miss Bailey, Kutcher's job was far removed from any contact with security matters. He was a \$45-a-week clerk in the Veterans' Administration in Newark. He is a Purple Heart veteran who lost both his legs in combat in Italy. The ground for his discharge was his admitted membership in the Socialist Workers Party.

This case is the reductio ad absurdum of the entire Truman loyalty program, since SWP is Trotskyite and therefore bitterly anti-Stalin. The President should have reinstated Kutcher a long time ago. His discharge was about as ungrateful, cruel and senseless an action as anything which has happened during this period of hysteria.

3. **MR. TRUMAN SHOULD REVISE THE EXECUTIVE ORDER GOVERNING LOYALTY INVESTIGATIONS.** The procedure he established does exactly what he attributes to McCarthyism. It permits conviction on undisclosed evidence, "guilt by association" and the smearing of whole organizations without a hearing. Mr. Truman should have ordered that procedure revised after the Supreme Court last April 30 declared his Attorney General's method of blacklisting "subversive" organizations a violation of due process. I want to show in my next column that Mr. Truman's own executive order is a shade worse than legislation drafted by the McCarthys and McCarrans.

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Don't Be a *Suck* Output In Reading *th Vital Metal*

1. **IT IS THE UNITED STATES**, not China, which has most to gain by stalling the truce negotiations. A cease-fire would create an atmosphere in which it would be more



STONE

ing its dam installations and its own frontiers. Its concern is with Formosa, not Korea. It would like to liquidate the Korean affair as soon as possible in order to get on with the job of liquidating Chiang Kai-shek.

3. **SO FAR ALL BUT ONE** of the concessions in the trade negotiations have come from the Chinese side. The one exception was the U. S. agreement at the very beginning to hold the meetings in Kaesong. The Reds gave in on Ridgway's demand that Kaesong be an open city. They gave in on Acheson's demand that the question of a U.N. withdrawal from Korea be excluded from the agenda. They had just given in again, this time on the question of a line on the 38th Parallel, when the ambush and the alleged bombing led them to break off the talks.

4. **THERE HAVE BEEN COMPLAINTS** from both sides of truce violations. It is interesting to compare them. Ridgway broke off the talks on July 12 when 20 U.N. correspondents were barred from Kaesong. He broke the talks off again on Aug. 5 after a company of Communist soldiers marched past within 100 yards of the house in which the talks were being held at Kaesong. The

The Commment which will avoid a nation-wide strike and prior to thorkers set for 12:01 a.m. Monday.

shootings with Negotiating teams from the Mine; Mill and Smelters Union (Ind.) are meeting in Salt Lake City, Utah documents are being sent to U.N. replies to the Phelps Dodge Refining Co., in Douglas, Ariz., with Anaconda Copper Co., in Waterbury, Conn., with the American Smeltering Co., in Douglas, Ariz. with the Phelps-Dodge

On the strain of the strike, though these men have been that such an aerial attack in advance of its total- ing 27 cents an hour. earned an average of 27 cents for each employee.

well prefer to **BEHIND THE NEWS:** A solid trustingly to like of 60,000 metal workers what route all shut down 95 per cent of can't the while nation's copper mine produc- the Air Force, on, seven of the 10 electrolytic

On the shores of the upper peninsula in the United States and a substantial share of Sunday's ample country's lead and zinc output the work it.

mitted by South Vietnam. Negotiations have been going on for nearly five months. The union's original demands were for a 30 cents-an-hour guerrilla activity wage hike, \$100-a-month rewhy Ridgway payment pay exclusive of Social Security, two more paid holidays North Korean and improved paid vacation would be right schedules.

as responsible for the first three and a half soldiers. Months of discussions, each local

5. **THERE** negotiating committee held 15 to 20 meetings with employers. They way's HQ after are still far apart.

'Rock - Bottom
When, on July 11, a national conference of the union's bargaining committees voted to pare their demands to a "rock-bottom" 27-

6. THE BOMBS-an-hour "package deal," and Truman is the proposal which was released on the bargaining table. The demand has issued with a warning by the union that unless a satisfactory counterproposal was forthcoming the workers' walkout would be called upon to authorize.

earned an average
for each employee
necott's profit ave
for each employee
was \$5.786.

The profit take greater, company Anaconda reported first half of the year above 1950. At Phoenix were up 93 per cent.

A 30-cents-an-hour wage increase, under here say, will cost \$624 per worker.

A substantial part of the country's higher profits is due to greater output being obtained. The Bureau of Labor Statistics says that copper mining has increased the amount of work done in each hour for each worker by 14 per cent from 1927 to 1932, compares with a 10 per cent increase in industrial production and three per cent per cent in the economy as a whole.

Acciden

The pressure for copper production is rising in a swift rate. In one mine there were 308 reported in the first of 1951. Only 4 employed at this

As a consequence agreeable and of the work, the

COMPASS, AUGUST 26, 1951

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I. F. STONE ASKS:

Is Ridgway Playing A Dirty Game With Rhee's Guerillas?

In Gen. Ridgway's last message to North Korean Premier Kim Il Sung about the incidents of which the Communists have complained, the General made an interesting denial.

"When not fabricated by you for your own propaganda needs," Ridgway said, "these incidents have proven to be the actions of irregular troops without the slightest connection overtly or covertly with any forces or agencies under my control."

Who does control these irregular groups whose actions in the neutral zone have helped to disrupt the peace talks?

The exact relationship between these irregulars and the U.N. forces does not seem clear. Sunday's New York Times ran a cable from its Tokyo correspondent, Murray Schumach. Of the ambush which occurred early the previous Sunday, Schumach reported, "There is no doubt that a man was killed. . . . It is quite possible that a soldier was killed by South Korean guerillas, who occasionally operate in small bands without close supervision from the 8th Army."

This seems to mean that South Korean guerillas do operate under some, though not "close," supervision by the 8th Army.

These South Korean irregulars must have links with the South Korean government. They can hardly have independent sources of supply. They can hardly operate in secret from the U.N. forces. At some point there must be liaison between the South Korean guerillas and the Rhee government. At some point there must also be liaison between the South Korean guerillas and the U.N. forces.

The U.N. forces are depriving themselves of valuable sources of information if they do not have liaison with South Korean guerillas. The latter are in a position to infiltrate enemy lines and provide useful intelligence.

The guerillas would be running a grave risk if they did not maintain some liaison with the U.N. forces. Otherwise they would be in danger of being taken for enemy spies or Communist partisans when behind U.N. lines. They might be imprisoned or shot.

It is difficult to believe that Ridgway was not hedging in some way when he said that the irregulars were "without the slightest connection overtly or covertly with any forces or agencies under my control."

Rhee is dependent on Ridgway's good will. Supplies can be shut off. The 8th Army command can threaten to take action against these guerillas unless they obey orders.

One would have to be a complete idiot to believe that Ridgway, if he wants to, cannot make Rhee's guerillas behave.



GEN. RIDGWAY

What if an American military policeman had been killed by North Korean guerillas in the neutral zone? Imagine the outcry if the Communist military command claimed that it had no authority over its irregulars! The key to the recent incidents, including the alleged bombing, may lie with these irregulars. The key to Ridgway is that he has put the publicity spotlight on the charge of "fabrication," rather than on the possibility that these incidents may be due to South Korean guerillas.

A general who wanted the talks to continue would promise to do all he could to end such activity in the neutral zone.

He would not be so abusive as to make it humiliating for the other side to resume the peace talks.

In the same note in which Ridgway admitted that some at least of these incidents were "proven to be" the work of South Korean irregulars, he spoke of the Red complaints as "utterly false," "preposterous," "obviously manufactured" and "malicious falsehoods totally without foundation in fact."

How can they be "utterly false" and partly true at the same time?

What kind of a dirty game is Ridgway playing with Rhee's guerillas?
TOMORROW: The truth about the Rashin bombing.

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By I. F. STONE

The Mysterious Ambush And Sudden Offensive

If there is bad faith in the Korean cease-fire talks, it looks as if the bad faith is on our side.

The sequence of events leaves much for General Ridgway to explain. Last week the talks seemed to have taken a sudden turn for the better. The Sunday morning papers here all carried hopeful news. Even as they were being printed, a change for the worse occurred.

Early Sunday morning U.N. troops opened a major attack "behind one of the most devastating artillery bombardments of the Korean war" (United Press from Tokyo), an attack which has since developed into the heaviest fighting since the talks began.

At the same time, about dawn Sunday, a band of armed men invaded the Kaesong

neutral zone, ambushed a Communist military police platoon, killed its commander and wounded one of his men.

These attacks occurred just when the Communists showed a willingness to compromise on the location of the buffer zone to be established between the opposing troops. After a meeting of the informal subcommittee suggested by Vice Admiral Joy on Wednesday, there was evidence that the Reds were prepared to yield on the question of the armistice line.

On Saturday the Peking Radio quoted Lt. Gen. Nam Il, the chief North Korean negotiator, as saying that while the Reds still wanted the 38th Parallel as the line of demarcation "it is possible to adjust this line on the basis of the terrain and mutual defense positions of the demilitarized zone if they are reasonable and necessary."

In principle, this accepted the earlier contention from Washington that the truce line should not be identical with the 38th Parallel but follow military defensible lines in its general area. Late Saturday official sources in Washington said the two sides "were trying to figure out which line each army thinks it can defend in the general area of the 38th Parallel. The space between the two lines then would become the buffer zone" (Sunday's Herald-Tribune).

'Friendlier Atmosphere'

The Associated Press reported from Munsan, Korea, early Sunday that "for the second straight day Saturday the U.N. and Communist junior teams had met in a friendlier atmosphere than any shown when the full delegations wrestled with the impasse . . . Muffled words and occasional laughter drifting from the Kaesong conference room indicated that the four-man armistice subcommittee met again in a spirit of friendly informality."

If within 24 hours the Reds had laid down a heavy artillery barrage, opened a major offensive and ambushed a United Nations patrol, would we think they had been talking in good faith—or in bad faith?

No one yet knows who was responsible for the ambush.

Gen. Nam Il's protest, the text of which was published in Tuesday's New York Times, said the military police platoon was "suddenly attacked by more than thirty armed personnel of your side who had unlawfully intruded into the neutral zone."

The United Nations command in its own formal release to the press on the results of the investigation, as published in full text the same

day, denied neither the fact nor the manner of the attack. It merely made the point that no evidence had been uncovered to indicate that the attack had been made by uniformed personnel.

"The possibility exists," the U.N. release hinted, "that the shooting was the work of a politically guided civilian group operating under instructions to create an atmosphere of tension which would tend to support the breaking of the current military armistice conference."

It is no secret that Syngman Rhee, who has both armed troops and quasi-Fascist civilian bands at his command, wants the peace talks to fail. He has made that clear in one speech after another. What needs to be made equally clear is that Ridgway HQ has no covert sympathy with him.

The way in which Ridgway HQ is handling Nam Il's protests over the slaying hardly reflects good faith. The U.N. press officer, Brigadier General William Nuckols "hinted," according to the United

Press Monday, "that North Korean troops disguised as civilians might have carried out the plot" but under questioning he also "admitted South Korean irregulars might have been to blame." One had the feeling that, given the slightest encouragement, General Nuckols would write off the whole affair as suicide.

In line with this approach, the U.N. radio yesterday, foreshadowing a similar blast from General Ridgway, was blaming the Communists for the ambush on their own platoon and citing this, weirdly, as evidence of bad faith and a desire to intimidate the U.N.

This is not how one reacts to a provocation one deplores. This is how one throws up a smoke screen to cover one's self or one's friends.

The ambush called for regrets, not recriminations; quiet investigation, not inflammatory statements. It is hard to escape the conclusion that the ambush, like the new offensive, was designed in desperation to break up the peace talks just when they showed promise of success.

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I. F. STONE

Van Fleet: 'Thank God for Korea' (And the 81,000 U. S. Casualties?)

The Associated Press had an interview with Gen. James A. Van Fleet last Friday. "Thank God for Korea," said the Allied ground commander in Korea.

As of last Wednesday, American casualties in Korea had reached 81,000. This was the official toll in a little over a year of warfare. The toll in American boys alone: killed in action: 12,047; wounded: 56,693; missing: 12,266. "Thank God for Korea," said Gen. Van Fleet. Thank God for what? Eighty-one thousand American casualties? The undisclosed number of Allied and South Korean dead? The hundreds of thousands of Korean civilians who have lost their lives? A whole country gutted in the process of "liberation"? The world brought to the verge of a new World War? Thank God for what?



STONE

"Where would our people be," Gen. Van Fleet asks, "if we hadn't had something like this to shock our people into action?"

Where would our people be? At peace. Where would the Korean people be? At peace.

The dead would be alive. The maimed would be whole. The napalm-burned villages would be

preparing for the harvest. We would have something for which to thank God.

Gen. Van Fleet seemed to imply that the terrible sacrifice of Korea was worth while because it served, like a kind of "hot-foot," to shock America into mobilization.

Gen. Van Fleet said the Korean war had provided the United States with a new generation of military leaders. The Korean war did make and promote a lot of new generals. Van Fleet was among those who rose to higher rank thanks to the fighting.

The Korean war added to the stars on a good many shoulders, Van Fleet's included. A psychoanalyst might be tempted to suspect that fervent "Thank God for Korea." That "Thank God for Korea" is worth a moment's reflection. If the Korean war is so beneficial, why let it end? If the war is a blessing, would peace be a curse? Would peace not deflate that new military leadership? Why call off what has been so useful?

Gen. Van Fleet shows no desire to call it off. He paws the earth like an angry bull anxious to get back at a red rag.

The General said that if the peace talks broke down, his forces would go back to battle "with hate and eagerness." Maybe the General will.

There is doubt that the average GI will feel any such "hate and eagerness." He is fighting an endless struggle thousands of miles from home among a people who have come to hate

the sight of their "liberators." The General is sure that the folks back home also feel just as rootin' tootin' and rarin' to go as he does. Van Fleet thinks the American people "are getting mad about these armistice talks." "They're fed up." "They don't want any appeasement."

How closely our busy generals manage to keep in touch with public opinion! They rush in boldly where God and Gallup fear to tread.

If the war resumes, it will almost certainly widen. If it widens, the casualty list will widen too. If war in Korea gave us 80,000 casualties in a year, war in China will give us 10 times that many. World war with Russia would multiply the casualties by a hundred before it's over.

What makes Gen. Van Fleet think the folks back home would relish those casualty lists? What makes him think they feel as he does about this war for which he thanks God?

"THANK GOD FOR KOREA." Thank God for the spontaneous, unpremeditated and revealing remark of a battle-drunk brass hat. Remember it and you will understand much that is happening in Korea; Ridgway's arrogant language, the obvious reluctance to come to any settlement, the statements which make it difficult for the Chinese to talk peace without knuckling under, the sudden bombing of Rashin near the Soviet border, as if daring the Russians to join the fight. . . .

Thousands of Americans and millions of Korean families mourn the war in Korea. The American military thank God for it. They don't want its blessings to cease.

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SPOTLIGHT ON JOHN FOSTER DULLES

The Man Who Did The Most to Split East-West Unity

By I. F. STONE

Third Article of a Series

There is no stranger story in American politics than the way in which John Foster Dulles, prewar isolationist and Axis apologist, emerged as an internationalist after the war with a ringside seat at the conferences which have molded the shape of the postwar world.

We saw in our first instalment that Dulles felt that Axis aggression represented no moral issue. We saw in our second instalment that after the tide of war turned against the Axis he emerged as the advocate of a "Christian peace" and as a foreign affairs adviser to Gov. Dewey.

During the battle of Britain, Dulles was still isolationist and opposed aid to the embattled English. But in 1943, after Stalingrad had sealed Hitler's fate, Dulles' protegee, Dewey, advocated an Anglo-American alliance to police the postwar world against the Soviets, a proposal which fitted neatly into the Goebbels' campaign that year to split the East-West coalition against the Reich.

It was the position taken by Dewey on postwar security in the 1944 campaign which brought Dulles his first invitation to Washington and a "bipartisan" post in fashioning the postwar world. FDR was basing his plans on the idea that any new world organization could succeed only if the victorious powers maintained their unity after the war, of preventing Germany again from playing East and West against each other.

It was on this idea that the Republican candidate focused his fire. On Aug. 16, 1944, just five days before the Dumbarton Oaks conference was to open in Washington, Dewey attacked what he called "Russian" plans for postwar domination of the world by the Big Four. He termed these supposed plans "imperialism . . . cynical power politics . . . an immoral military alliance." Why domination of the world by the "Big 4" was more "immoral" than Dewey's idea the year before for domination of the world by an Anglo-American Big 2 was not explained.

This statement proved to be a skillful bit of political blackmail. Secretary of State Cordell Hull, fearful of a Republican attack on the plan for a postwar security organization, invited Dewey to confer with him. Dewey sent Dulles as his representative. It was as a result of this meeting with Hull that Dulles appeared the following spring as Republican adviser to the American delegation at the first San Francisco conference held in 1945 to organize the U.N.

As early as May 1946, Dulles was already talking of war against the Soviet Union. The man who was never moved to condemning the dauntless Nazis delivered a fiery attack on "atheistic Soviet leaders" before the 158th general assembly of the Presbyterian Church on May 25 of that year. He pictured a situation in which "we shall either have to surrender or fight another war."

Before the Moscow Conference of 1947, Dulles alarmed the Russians by advocating a Western bloc, with the Ruhr as its arsenal. The Potsdam restrictions on German rearmament were to be scrapped and German military potential utilized as a bulwark against the East. After the Moscow Conference, he urged the Western powers to go ahead and solve the problems of peace without Russia, i.e., by separate treaties with defeated powers—like this present treaty with Japan.

In 1947 Dulles helped to draft a manifesto by the Federal Council of Churches for a worldwide "moral offensive" against the Soviet Union. At the first constitutional assembly of the World Council of Churches in Amsterdam in August, 1947, Dulles attacked the Soviet regime as "atheistic and materialistic." The man who in 1943 had been pleading for a Christian peace with the Axis now seemed to be pleading for a Christian war against the USSR.

The steady rise of this prewar isolationist political respectability marks the change in American climate of opinion during the last decade. In 1944 Edwin L. James, managing editor of the New York Times, called attention to Dulles' past record; Arthur Krock himself wondered how Dewey and Dulles could be as ill-informed as they seemed to be in their attack on the Roosevelt plans.

In 1944 Dulles' links with German big business and fascist interests during the Hitler years were publicized by such newspapermen, among others, as Walter Winchell, Drew Pearson, and Victor Riesel. Three years later when Secretary of State Marshall announced that he was taking Dulles along to the Moscow Conference, there was protest from a "National Conference on the Problem of Germany" convoked in New York by Mrs. Eleanor Roosevelt and Edgar Ansel Mowrer. The conference urged that attorneys like Dulles with links to German interests be barred from serving as advisers to the American delegation.

As recently as Nov. 3, 1949, when Dulles was running unsuccessfully for the U. S. Senate against Lehman, former Secretary of the Interior Harold Ickes made a public speech recalling Dulles' famous remark of 1939 that only hysterical people "believe that Germany, Japan or Italy contemplate war against us." But although protest against Dulles' past widened, especially after Vishinsky attacked Dulles as a "warmonger," the Vishinsky attack served curiously enough as a shield for after that, to attack the Dulles record was to invite the accusation that one was following the Soviet line, a deadly charge in cold war America.

In riding roughshod over Allied objections to a treaty listing arms restrictions on Japan and exempting her from the payment of reparations, Dulles in 1951, as in 1939, showed more sympathy for the Axis powers than for the nations they had overrun.

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No Truce Until Ridgway Lifts Censorship Lid

By I. F. STONE

General Ridgway is carrying on an obscene farce in Korea, and truce negotiations can only be resumed with some hope of success if he is forced to lift the lid of censorship and come clean with press and public. Here are major recent items buried in the fog of secrecy and misrepresentation which hangs over Tokyo.



1. The New York Times reported Friday from Tokyo that Radio Peking quoted a Leftist correspondent on the North Korean side as saying: "Talks can start again immediately and agreement could be reached in a short time if the Americans accepted military realities about which Admiral Joy harped for weeks at the conference table." The military realities on which Admiral Joy harped were a military defensible line rather than the 38th Parallel and the unwillingness of the U.N. forces to give up hard-won ground above the Parallel. The

broadcast implies that the Reds are now willing to accept those realities. It also implies that Ridgway's negotiators have been holding out for more. Why must such matters be left to surmise?

2. What was in the note Ridgway received last week from the Communists on resumption of truce negotiations? Why did Tokyo HQ withhold for two days the fact that a note had been received? Why did it wait until the news broke on the Peking radio? Why has the text of the note not been made public? The Herald Tribune Friday reported from Tokyo in a reference to this note that the U.N. command "remained silent" on the Red demand for "an Allied-Communist joint reinvestigation of all enemy charges that Kaesong's neutrality was violated by the Allies." This was quite different from the impression given by the New York Times headline that same morning which said "Peking Tells U.N. to Admit Incidents as Price for Talks." To ask for a joint reinvestigation is not the same as to demand admissions.

3. The case for a joint reinvestigation is strengthened by the U.N. admission of the Kaesong strafing. The U.N. command seems to have excellent radar coverage of the area. As David McConnell reported from Tokyo to the Herald Tribune Sunday, "Present facilities used with alertness, would be ample not only to warn planes away from the zone, but to pass along to top commanders any evidence of planes moving into the neutral area." It was radar plotting which revealed

See "Renewed Truce Hope," an editorial, Page 6.

that a B-26 had penetrated the neutral zone early on the morning of Sept. 10 and strafed the area. What do Air Force radar records show of other occasions when strafing and bombing have been alleged? In at least one case the Air Force admitted spotting an unidentified plane on the radar screen the night a bombing occurred, that of Aug. 22. Was that plane's course also plotted by radar? Where did it go?

4. The affair of the Kaesong strafing indicates that the high brass at Tokyo HQ is hiding something. The news that a B-26 had bombed the area was withheld for two days while Admiral Joy's investigators pooh-poohed the complaint of the strafing. It occurred early Monday morning, Sept. 10 and next day the Times carried the news from Tokyo, "Kaesong Evidence Found Inconclusive." The headline over the cable in the Herald Tribune said "U.N. Liaison Officers Visit Kaesong to Investigate. Sav Charge Looks Dark."

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over the cable in the Herald Tribune said "U.N. Liaison Officers Visit Kaesong to Investigate, Say Charge Looks False."

One of the U.N. investigators, Col. Don Darrow, was quoted by the Associated Press as asking the senior Red liaison officer, "How do we know the plane was one of ours? Why not one of yours?" The news as given out followed the same pattern as in past complaints of bombings. Yet Tuesday night a statement from Tokyo HQ disclosed that the strafing was done by a B-26 which was spotted at 1:41 a.m. Monday morning. In other words, all the time Joy's investigators were at Kaesong, Far East Air Forces already knew the strafing had been done by an American plane.

5. Have there been other incidents of this kind in which the Air Force, with or without the knowledge of Tokyo HQ, withheld information? Why has Tokyo HQ been so sensitive to questions about the Kaesong incident? David McConnell, who first cabled the failure to inform Admiral Joy in Thursday's Herald Tribune, reported in Sunday's issue that he and the CBS chief in Tokyo were told by Brig. Gen. Frank A. Allen, chief of Army public relations, "Don't forget which side you're on," when they pressed for an explanation. Another Army officer told them, "None of your business." They wanted to know why Joy had not been informed and "what mechanics were being set up to give the U.N. armistice team quicker notice in the event a similar incident should occur." The questions are still unanswered.

Let's Have The Truth About 'Heartbreak Ridge'

By L. F. STONE

Late Sunday, September 23, there was a victorious announcement from Tokyo HQ. A release said the 37-day struggle of U.N. troops to win the high ground north of Yanggu, known as "Heartbreak Ridge," had at last been crowned with success.



The cost had been heavy. The ridge was taken on the fifth try after four unsuccessful assaults earlier in the day. The official account said a battalion that had suffered two-thirds casualties sent a platoon that had only 13 men left into that final assault. A battalion is normally 1,000 men and a platoon is usually 40 men.

Three men reached the peak alive, and were reinforced against a Red counter-attack that began immediately. Next morning Tokyo HQ announced that a regiment of North Koreans had retaken the peak. The three men who took it Sunday never returned.

STONE

This was the second time U.N. forces had taken "Heartbreak Ridge" and lost it again to counter-attack within 24 hours. The previous occasion was on September 19. The U.N. Command is still trying to retake it. The latest news from Tokyo yesterday said that "Heartbreak Ridge" was "more or less the scene of a military stand-off. . . . United Nations troops made several unsuccessful attempts to advance up the slope again. They were 'all but stalled' . . . with grenades and intense small arms and machine gun fire."

The case of "Heartbreak Ridge" has a double interest. It shows that, despite Buck Rogers pushbutton conceptions of warfare and complacency about American technological superiority, many battles have to be won by foot soldiers fighting hand to hand with grenade, bayonet and—as the dispatches about "Heartbreak Ridge" have shown—even fist.

Aerial and artillery bombardment may be neutralized by digging sufficiently deep into the earth. "Heartbreak Ridge," according to one news cable, "is honeycombed with Communist bunkers of logs and dirt six feet thick." The Chinese and North Koreans "have learned to skulk in well-logged bunker positions by day and, despite terrific artillery and air fire, come out at night to counter-attack against U.N. positions."

The dispatches describe weary field commanders calling for intensive barrages of "high explosives, white phosphorous and time-fused shells," but in the showdown such positions can only be taken by the infantry. "The North Koreans," said one dispatch, "leave suicide platoons behind to fight until they are either burned out by flame-throwers and napalm fire bombs or are killed in close-in fighting."

This may help to explain why the "limited objective" fighting of the past summer has cost an average of almost 5,000 American casualties a month. It may also serve to remind public opinion that what superior aerial firepower cannot do in Korea it will not be able to do in China. Men who fight as the enemy has in Korea, often ill-fed, ill-clothed and ill-equipped, are not men who will give up easily.

The other point of interest about "Heartbreak Ridge" is whether in fact this terrible fighting with its terrible cost has been necessary.

The fighting for "Heartbreak Ridge" began just after the Peking radio indicated that the Reds were prepared to settle for something other than the 38th parallel. Tokyo HQ showed more interest in pursuing its bloody attempts to take what Van Fleet himself terms "hills which on the surface appeared minor in significance."

Was it necessary to kill and maim American boys in the effort to take "Heartbreak Ridge" and similar hilltops when there was a chance of bringing truce talks to a successful conclusion?

The question has begun to haunt the Pentagon and Tokyo HQ. The Van Fleet statement I discussed here yesterday was an attempt to lay the ghost of doubt. I am glad to see that Hanson Baldwin, the respected military commentator of the New York Times, shares the misgivings I expressed. Baldwin thinks the Van Fleet statement "smacked too much

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was it necessary to kill and maim American boys in the effort to take "Heartbreak Ridge" and similar hilltops when there was a chance of bringing truce talks to a successful conclusion?

The question has begun to haunt the Pentagon and Tokyo HQ. The Van Fleet statement I discussed here yesterday was an attempt to lay the ghost of doubt. I am glad to see that Hanson Baldwin, the respected military commentator of the New York Times, shares the misgivings I expressed. Baldwin thinks the Van Fleet statement "smacked too much of propaganda and too little of fact."

Baldwin, who was recently in Korea, is dubious of Van Fleet's primary excuse for the long, fruitless and bloody series of attacks on "Heartbreak Ridge" and similar hill-points. Van Fleet said it was "militarily essential" to take those hills in order to deny the enemy "commanding terrain."

"But," Baldwin objects, "Korea, like Italy, is simply one hill mass and dominating terrain feature after another; the process of winning hills could be an unending one."

So I ask again: were these costly attacks in the middle of truce talks necessary or just staged to keep the boys from what Van Fleet calls "the dreaded softening process of stagnation?"

I'd rather have my boys and yours at home stagnating.

The Man Who Protects Budenz

By I. F. STONE

NO ONE SEEMS TO HAVE RECALLED that Robert K. Morris, chief counsel for the McCarran committee, was an assistant counsel to the Tydings committee last year when Louis Budenz appeared before it in the investigation of Sen. McCarthy's charges against the State Department.



STONE

This means that Morris could hardly have been unaware of the striking discrepancy which Joseph Alsop pointed out between Budenz' testimony last year and his testimony this year. Last year, as readers will recall, Budenz said he could not identify John Carter Vincent as a Communist. This year Budenz named him as a member of the party. Last year Budenz said he had "no information" on the political ties of John Stewart Service, another State Department man for whom the China lobby has long been gunning. This time Budenz said that Service "at least from the official information I received, had many contacts with the (Communist) party."

Morris heard Budenz last year as assistant counsel to the Tydings committee. He heard Budenz this year as counsel to the McCarran committee. The fact that Alsop got wind of this discrepancy may have been an unpleasant surprise to Morris. The discrepancy itself, however, could hardly have been news to him.

IN A JUDICIAL PROCEEDING, with defense counsel present, Budenz would have been subjected at once to cross-examination and pressed to say on which occasion he told the truth and why he changed his testimony. Defense counsel would charge the witness with perjury. Were Morris and the McCarran committee concerned only with getting at the truth, Budenz would have been questioned about this discrepancy by Morris himself.

Why did Morris allow Budenz to take the stand and swear unchallenged to testimony in conflict with the testimony Morris heard him give last year? Were there some way to bring an action for defamation against a Senate committee, this is the question which would be put to Morris himself on trial of the issue.

In such an action Morris would be asked whether he discussed Budenz's testimony with him in advance, whether Budenz was pressed to recall something new about Vincent and Service, whether, in short, there was not only perjury by Budenz but subornation of perjury by Morris.

THE MCCARRAN COMMITTEE and its counsel have claimed from the first that unlike the House Un-American Activities Committee they would act in an objective and judicial way. They have laid great store by the fact that they prepare their cases in private session before releasing anything publicly. Just how was this Budenz testimony prepared?

Any real investigation of this affair, any move to try Budenz for perjury, obviously would raise embarrassing questions for the committee and its counsel. Morris cannot claim to be the innocent victim of an unsuspected discrepancy in testimony.

This may help to explain the unfair treatment the committee and its counsel accorded Henry Wallace, who was smeared by the Budenz testimony in public but only permitted to answer it in private. It may also help to explain why the committee has turned a deaf ear so far to Alsop's request that he be summoned as a witness.

Alsop's columns have hurt Budenz. In asking to be called as a witness, the columnist is hazarding perjury charges against himself if his charges against Budenz are false. Alsop informed Senator McCarran in a letter last Saturday that he was in Kunming and helped to frame the Wallace cable in 1944 urging the replacement of Stilwell with the anti-Communist Wedemeyer. That cable also makes a perjurer of Budenz and a falsehood of his claim that Wallace on the 1944 trip was being guided by the Communist party through Vincent.

The failure to interrogate Budenz anew and to call Alsop as a witness, like McCarran's fight to keep Senator Lehman from putting the Alsop columns in the Congressional Record, speak for themselves. They do not reflect credit on the committee or on its counsel.

Insofar as Morris is concerned, this will surprise no one who checks back over his unethical conduct last year as assistant counsel. I have some interesting revelations to make on this in **THE SUNDAY COMPASS**.

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I. F. STONE

Truman And The Soviet Atom Blast

The news out of Washington grows less and less trustworthy, and the latest White House announcement on a second atomic explosion in the Soviet Union is more wisely to be studied as propaganda than as information.

In the Soviet Union, the government only tells the people what it thinks best for the people to hear and know. The same thing is becoming increasingly true in the United States, especially in dealing with atomic matters, but also in routine civilian operations of government, as the latest Truman security order shows.

The government's excuse in the U.S.S.R. is that it needs a period of dictatorship in which to build socialism and to defend it from foreign enemies. The government's excuse here—if anyone in Washington had the moral stamina to be frank about it—would be that the American people must be mobilized for war against Russia. "Papa knows best" is the basic attitude in both countries, and in this Soviet totalitarianism finds its counterpart in Truman-Acheson total diplomacy.



STONE

In Russia the entire press is government-owned and government-controlled. Here the press is more free, but becoming increasingly less so. On the basic issue of war or peace, the American military are becoming almost as sacrosanct as the Politburo. Surface quarrels amid Republicans and Democrats stop at the Pentagon door, and with all the talk of economy no one really studies with an astringent eye the billions being thrown around by the military.

Add the kind of people who are running Washington today, and you will see why I look so skeptically on that atomic announcement. I apologize for the language I am about to use but the plain truth is that a considerable number are thieves, liars and cowards. They will do anything to save their political skins, up to and including another world war to shut off all criticism and ensure their victory at the next election. That is what I think of the Truman gang.

So when I read the bare and sudden announcement from the White House I ask myself: what was the purpose and what was the significance of the timing? One whopping big military appropriation has just gone through Congress, and they're getting ready to ask for more. They need an over-size scare for that 140-group Air Force and all those new atomic weapons they have been talking about. They also need to prepare public opinion for the use of atomic weapons, if they think it necessary, in Korea, and possibly over China. A lot of poor people, human beings like you and me, are going to be "liberated" in China if the signal is given.

You can always count on the Truman gang to follow the line of least resistance, and to subordinate human welfare to political expediency. Right now the Republicans really smell blood in the Jessup inquiry, and the easy way out is to step up the Korean war and extend it to China.

I use the term "liars" and "cowards" because there is no doubt in my mind that Acheson and Jessup did favor recognition of Red China as soon as politically possible. The private circular sent out by the State Dept. to all embassies in December, 1949, and

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Red China as soon as politically possible. The private circular sent out by the State Dept. to all embassies in December, 1949, and "leaked" out of MacArthur-dominated Tokyo in January, 1950, shows that Acheson had given up Chiang for lost and wanted public opinion prepared for the fall of Formosa to the Reds.

When the news leaked out of Tokyo, Truman made it clear at a press conference on Jan. 5, 1950—his last courageous stand on the China question—that the Administration did not intend to intervene in the Chinese civil war on Chiang's side.

Instead of manfully standing up and defending these policies as sound, instead of warning the American people that the alternative is to spill the blood of its sons for years in support of a corrupt and incompetent Chinese dictator, the Administration is trying to fight the Charlie McCarthy of the China Lobby by disingenuous statement and ignominious belly-crawling.

The characteristic failure of the State Dept. to be frank about the 1949 White House conference, of which Stassen testified, leaves Acheson wide open to attack. The effort first to deny that such a conference took place and then the failure to state what position Acheson took is damning. One can only infer that Acheson did support Maj. Gen. David S. Barr's recommendation that aid to Chiang Kai-shek and the Nationalists be shut off. The only honorable answer is to defend the policy, which was and remains the right policy, and not try to crawl out of it.

In this situation, the Truman gang has the one remedy, its poisonous panacea for all the national ailments, its prescription for full employment and its formula for electioneering success. That formula is war.

The way the Truman gang is headed is to answer the objections of the Republicans stooging for the China Lobby—by going to war against Communist China. Atom bombs on China would blast Republican hopes at home. I think at bottom it's that simple and that dreadful, and I think we Americans have as little control over the decision as people living under dictatorship.

A Calculus Expert With Time to Plot?

By I. F. STONE

Boston, Oct. 9—Harry E. Winner, the Malden, Mass., businessman indicted here for conspiracy to advocate overthrow of the commonwealth of Massachusetts by force and violence, attributes his downfall into radicalism (as we saw yesterday) to an early passion for Shelley. His fellow conspirator and fellow member of the Progressive Party, Prof. Dirk J. Struik of M.I.T., told me his own introduction to radicalism as a youth in Holland was Oscar Wilde's essay, "The Soul of Man Under Socialism." These are offered as clues to the strange corners in which the House Un-American Activities Committee must probe when it gets around to cleansing our libraries.

When interviewed at the home of his counsel, Oliver S. Allen, Dirk Jan Struik turned out to be a tall, slim, youthful looking man of 57. He was born in Rotterdam. The "emergency" state anti-anarchy statute, a "Little Smith Act," had been in existence for seven years when Struik came here in 1926 on invitation to join the mathematics department at M.I.T., first as a lecturer, since 1940 as a full professor.



STONE

Though Struik had long been a Marxist, the "emergency" legislation was not used to handcuff him on arrival. Indeed, no one had ever been indicted under it until a Middlesex County grand jury returned indictments against Struik and Winner several weeks ago. The two were indicted jointly for conspiracy since 1947, and Struik separately for directly advocating the overthrow of the Commonwealth in a speech at Cambridge "on or about the first of May" in 1948, more than three years ago. The grand jury was slow to act, but a merciful Providence held the Commonwealth together in the interim.

Next to Wilde's once famous essay, the other subversive influence in the young Hollander's life was the English Socialist Brailsford's "War of Steel and Gold," which foreshadowed World War I. Brailsford's now-forgotten best seller undermined Struik's faith in free enterprise to the point where he was, as he relates, "willing to listen" to a mathematics teacher in his school in Delft who was a Marxist.

"I became a Marxist," Struik said, using the horrid word without flinching, "at the outbreak of World War I. I saw that Marxists like Rosa Luxemburg who predicted that imperialist conflict would breed war were right and the facile optimism of the revisionist Socialists wrong."

While a Marxist, Struik said, he always kept aloof from the Communist party. "I am a Marxist," he explained, "because I believe dialectical materialism the best approach to the problems of science and of society. But I am a Marxist not only because I think this scientific but because I believe in the brotherhood of man. I believe in Marxism as a tool, a mode of thinking which inspires to action to improve the conditions in this world, which are lamentable enough."

In 1936 Struik helped to found and has since been one of the editors of Science and Society, a Marxist quarterly. He contributed an article to the first number on "The Sociology of Mathematics" and has written for it frequently since. He has also taught at the Samuel Adams School in Boston, which is on the Attorney General's blacklist—or Red list.

How did a European-style left-intellectual of this kind come to be hired as a teacher in America's most famous engineering school, a kind of glorified academic annex of American Big Business? It happens that this Marxist is one of the world's foremost authorities on some of the more abstruse aspects of modern mathematics—non-Euclidean geometry and tensor calculus.

I hope I am stating this correctly when I say that the tensor calculus was the form in which Einstein utilized non-Euclidean geometry in his own epoch-making calculations. Struik made his reputation in Holland with a monograph on "The Geometry of More Than Three

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in his own epoch-making calculations. Struik made his reputation in Holland with a monograph on "The Geometry of More Than Three Dimensions," and as a result of this monograph was brought to this country by M.I.T. as part of a program to widen the scope of its mathematics department.

What began in the case of non-Euclidean geometry and the related tensor calculus as an exercise in pure thought with no apparent relation to the real world soon began to take on practical importance in elasticity and relativity. "Much of my teaching," Struik explained, "has been in connection with the practical application of tensor calculus." This is not a field of mathematics so common that universities can confine their hiring of teachers in it to politically pasteurized intellects. Einstein himself, the leading figure in the field, has never been suspected of card-carrying membership in the Republican Party. It is difficult to keep a mind which works in calculations of four dimensions safely confined within the American two-party system.

This no doubt would be M.I.T.'s defense for this and much else in Struik's record. Could M.I.T. be blamed if one of the founders of non-Euclidean geometry was indiscreet enough to be born a Russian with the name of Lobatchevsky, though long before the Revolution? And could M.I.T. be blamed if this master mathematician's old university at Kazan established a Lobatchevsky award and conferred it upon Struik in 1928—the centenary of Lobatchevsky's discovery—for that same monograph which had led M.I.T. to hire him two years earlier?

Struik's work has brought world-wide distinction to M.I.T. His two-volume work with J. A. Schouten in German, "Introduction to the Newer Methods of Differential Geometry" is a classic work in its field. A lighter and more popular work published in 1948 was Struik's "Yankee Science in the Making," which Winner described aptly as a "Scientific Flowering of New England."

Since the date when the alleged conspiracy between Struik and Winner began in 1947, Struik has published two other books and begun work on a third. The two which he has published since then are "Lectures on Classical Differential Geometry" and "A Concise History of Mathematics" in two volumes. He said he is now using his "enforced leisure" (M.I.T. suspended him when the indictments were returned) to complete a book on algebraic geometry.

"When I think of myself writing those books and at the same time conspiring with this guy," Struik said with a grin and a wave of the hand at Winner, "to overthrow the government, I suddenly get quite a respect for myself."

A Chat With 2 'Overthrowers'

By I. F. STONE

Boston, Oct. 8—Two Boston newspapers, the Traveler and The Globe, gave Page One prominence today to the announcement that the newly organized Emergency Civil Liberties Committee would take a hand in the defense of Professor Dirk J. Struik of M.I.T. and Harry E. Winner, a Malden, Mass., business man.



This is an indication of the public interest here in the seditious conspiracy charges filed against Dr. Struik and Winner. The indictments are of national interest: (1) because they are the first to be brought under State law and (2) they are the first to be brought against members of the Progressive Party. I had a chance to talk with these first victims of Massachusetts' "Little Smith Act" yesterday afternoon at the home of Dr. Struik's able and courageous young counsel, Oliver S. Allen.

STONE The statute under which Struik and Winner were indicted is an "emergency" law enacted on the ground (as stated in the preamble) that "there is now in this Commonwealth a considerable number of persons . . . who are striving to promote anarchy in the Commonwealth and who are inciting others to acts of violence with a view to the overthrow of all government."

The emergency seems to have been rather tardy in maturing. The act was passed in 1919, but nobody had ever been indicted under it before. A lamentable lack of celerity is visible even in the indictments for they allege that these two accused "anarchists" had begun to gnaw away at the foundations of the Commonwealth (Indictment No. 1) and the United States of America (Indictment No. 2) as far back as "the first day of January in the year of our Lord one thousand nine hundred and forty-seven," almost five years ago.

The indictments allege that on this occasion "and on divers other days and times" since the M.I.T. professor and the Malden businessman "did conspire together . . . to advocate, advise, counsel and incite the overthrow by force and violence" of the aforesaid Commonwealth of Massachusetts and the aforesaid U. S. A. They are alleged to have done so "by speech, exhibition, distribution and promulgation of certain written and printed documents, papers and pictorial representation." It seems odd that so well publicized a conspiracy went so long unnoticed.

Conspiracy is only a misdemeanor in Massachusetts. Dr. Struik alone is charged in a separate indictment with having feloniously advocated overthrow of the government "by speech, exhibition, distribution, and promulgation of certain written and printed documents, papers and pictorial representation . . ." This inflammatory affair seems to have been poorly attended by the police, since it is alleged to have occurred in Cambridge "on or about the first of May" in 1948, more than three years ago. The alleged incitement does not seem to have resulted in any widespread loss of life or damage to property.

When interviewed neither Dr. Struik nor Winner gave any indication of the violent temperament implied by the indictments, though this may mean no more than a conspiratorial adeptness at protective coloration. Both, it appeared, have taught at Boston's Samuel Adams School, which the government regards as subversive within the Communist Party orbit, and both worked with the Progressive Party in the 1948 campaign for Wallace. This, in many people's eyes, makes them guilty of something.

Winner, a rotund and ebullient gentleman of 49, is an interesting mixture of small-town businessman and natural-born radical. He has been living in Malden since 1933 and taken a leading part in its community affairs. He was chairman of the Salvation Army drive for three years, chairman of the industrial drive for the Community Chest for

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...in Malden since 1933 and taken a leading part in its community affairs. He was chairman of the Salvation Army drive for three years, chairman of the industrial drive for the Community Chest for two years, chairman of the publicity committee for Malden's tercentenary celebration two years ago, chairman of the cerebral palsy drive, an active worker in local tuberculosis and blood-for-Korea donor drives.

This impeccable Babbitt's record has been combined with a leading role in the Progressive Party of Massachusetts and in the Samuel Adams School, which was founded in 1944. Winner is its treasurer and has given courses in American history, history of labor and current affairs. These radical activities do not seem to have diminished his respectability in Malden, where he seemed to be regarded as a man with few sinister tendencies other than running up large grocery bills for deserving (and sometimes undeserving) families without telling his wife about it.

Winner was born in Brockton, where his family was in the leather business. His father was a Roman Catholic, his mother "a Yankee." The family was Republican. "What first made you a radical?" I asked him. "Shelley," was the quite un-Marxist answer. His first vote was cast for LaFollette. Winner is one of those somewhat rare Left-wingers with a sense of humor. One of his favorite authors is Max Beerbohm, and one of the few points of disagreement between him and his old friend and fellow conspirator Dr. Struik is over Santayana. Dr. Struik, a mathematician, is a shade dubious about Winner's enthusiasm for the endlessly engaging but quite unsystematic author of "The Realm of Essence" and "The Life of Reason."

Winner had no difficulty in obtaining counsel. He is represented by Hubert C. Thompson, a former Assistant U. S. Attorney in Boston, and Howard Whiteside, a Boston lawyer active in the Civil Liberties Union. Nor did Winner have difficulty in raising his bail of \$10,000. The figure was contrasted with the \$2,500 bail fixed about the same time in another notorious Boston case, that of Dennis Delaney. Delaney is awaiting trial on charges of accepting bribes as U. S. Collector of Internal Revenue.

An Informer Helps Heresy-Hunters

By I. F. STONE

Boston, Oct. 10.—The Struik-Winner case in Massachusetts is an echo of the Foley Square trial of the 11 Communist leaders. One of the prosecution's star witnesses in that trial was a young "intellectual-looking" Boston insurance man who joined the Communist Party as an informer for the FBI. His name was Herbert A. Philbrick, and he testified before the Middlesex County Grand Jury which recently returned indictments under a Massachusetts "Little Smith Act" against Prof. Dirk J. Struik of M.I.T. and Harry E. Winner, a Malden, Mass., businessman, both the accused are members of the Progressive Party and both taught at the Samuel Adams School in Boston, which is on the Attorney General's subversive list.



STONE

Just what Philbrick told the Grand Jury will not be evident until the trial. Two years ago, after Philbrick mentioned Struik in his testimony at Foley Square, the executive committee of M.I.T. issued a statement in which it said: "The Institute has secured a transcript of Mr. Philbrick's testimony in New York and finds no statement in it charging Prof. Struik with an unlawful act." Whether Philbrick's new testimony to the Grand Jury contained material he did not give at Foley Square remains to be seen. Perhaps, like his fellow witness and informer Louis Budenz, Philbrick's memory improves with the passage of the years.

Philbrick testified against Struik at Foley Square on April 9, 1949. The purpose of the testimony was to show that the government was seriously threatened by an underground conspiracy to advocate its overthrow by force and violence. Philbrick said Struik was part of that conspiracy. If the government took its own witness seriously, it should have arrested the M.I.T. mathematics professor at once. The failure of the Federal government to act on this testimony more than two and a half years old and the belated action of the Massachusetts authorities under a 1919 "emergency" statute never used before provide their own silent but astringent commentary on this alleged conspiracy.

Struik's counsel, Oliver S. Allen, told the local press when the indictments were returned that the Middlesex County District Attorney had acted because "there was pressure put upon him." Allen declined to explain the character or source of this pressure, but local Liz Dillings and would-be McCarthys have been gunning for a long time not just for the Sam Adams School but for Harvard and M.I.T.

Last spring a Cambridge City Councilman named John D. Lynch achieved considerable notoriety with a resolution asking for a purge of the alleged Reds on the faculties of the various local institutions of learning. Among the 50 suspected Reds whom Lynch listed on the Harvard faculty alone were its distinguished president, James B. Conant, and Prof. Arthur M. Schlesinger, Jr. The latter's inclusion testifies to the inadequate antiseptic of leadership in the ADA and fervent cooperation with the World-Telegram's No. 1 Red-hunter, Frederick Woltman. (We live in ungrateful times.)

M.I.T., much to its credit, stuck to its guns after the Philbrick testimony. Its executive committee issued a statement saying that it was "unequivocally opposed" not only to communism but also "to the communistic method of dictating to scholars the opinions they must have and the doctrines they must teach." It said there was no evidence that Struik's teaching had not been carried on faithfully and competently and without attempting "improperly to influence students or colleagues."

At the time M.I.T. said it believed "one of the greatest dangers of the present cold war and of the present fear of communism is the danger that they will cause America to relinquish or distort or weaken basic civil rights. This may be a greater danger than the occasional impact or influence of a Communist." It said then, however, that if a member of the staff were indicted, it would suspend him pending trial. Struik has been suspended.

The penalty for violating the Massachusetts "Little Smith Act" is imprisonment for not more than...

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colleagues. At the time M.I.T. said it believed "one of the greatest dangers of the present cold war and of the present fear of communism is the danger that they will cause America to relinquish or distort or weaken basic civil rights. This may be a greater danger than the occasional impact or influence of a Communist." It said then, however, that if a member of the staff were indicted, it would suspend him pending trial. Struik has been suspended.

The penalty for violating the Massachusetts "Little Smith Act" is imprisonment for not more than three years or a \$1,000 fine or both. A conviction would cast a shadow over other classrooms in M.I.T. and Harvard and be a victory for those heresy-hunters in Massachusetts who would like to impose an innocuous conformity on its institutions of learning.

Struik's counsel is optimistic and himself occasion for optimism. Oliver S. Allen, Dartmouth and Harvard Law '35, served abroad as a lieutenant commander in the Navy during the war, and came home to practice law with his father (Allen & Allen), who has for many years not only practiced but taught law, latterly at Boston University.

Young Allen was the first of his Republican family to turn Democratic and was the party's nominee for Congress in 1946 against Edith Nourse Rogers. He left the party to support Wallace in 1948 and was for two years chairman of the Progressive Party in Massachusetts. He has won two loyalty cases and three free speech cases in the past two years, one of them involving Walter A. O'Brien, state director of the Progressive Party.

The most recent and encouraging of these victories, possibly indicative of the state of public opinion here, was a case Allen chose to try before a jury. His client was a Unitarian clergyman named Murphy, not the most auspicious combination in Boston. Nine of the 12 jurors were probably Roman Catholic. The Rev. Amos Chafee Barstow Murphy was arrested for making a speech for peace without a permit and the District Attorney all but accused him of murdering the boys in Korea. The jury brought in an acquittal.

(This is the last of three articles on the Struik-Winner case. A reader corrects my statement that it is the first state sedition prosecution in this period, citing the Pittsburgh trials under a Pennsylvania sedition act earlier this year. My apology is that I was abroad at the time and unaware of that prosecution.—L.F.S.)

UMT—Symbol Of U. S. Fears

By I. F. STONE

I HAVE NOT YET SEEN THE FULL TEXT of the new report advocating Universal Military Training. What interests me most in the excerpts published by the press is the declaration that every generation of Americans has gone to war "largely unprepared psychologically or physically."



STONE

Someone completely unacquainted with the history of the United States might assume from this observation that the Republic had been seriously handicapped. He might even jump to the conclusion that it was a miracle the Republic had managed to survive. He would be surprised to learn from the history books that the U. S. had not done too badly.

The generations since 1776 have won every war in which they engaged, two wars against England, one against Mexico, a war against Spain and two world wars. That is not a bad record for a people "unprepared psychologically or physically."

THE COMMISSION IDENTIFIES PREPAREDNESS with universal military training in peacetime. This is as old as the wars which accompanied the French Revolution. It is just about as old, in other words, as the American Republic. During the years in which we did not have UMT, a lot of other nations did have it. One does not need to know much history to know that the U. S. has fared better without UMT than other nations have fared with it.

For the military man, the measure of a country's preparedness is the amount of armament it has, the number of trained soldiers it possesses, and the eagerness of its people to fight.

By this standard the country best prepared in modern times has been Germany. In no other country have the standards of the military been accepted with less question. In no other country has so much of the nation's material and intellectual resources been devoted to psychological and physical preparedness for war. Germany hasn't done too well. Neither has the country which ranks next to it in this regard, Japan. Nor the country which tried to imitate them, Fascist Italy.

Arrogant foreign policies, ruinous wars and the destruction of liberty at home have resulted from letting military men impose their standards of military preparedness. An American once warned his fellow countrymen to "avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty."

THE LANGUAGE IS OLD-FASHIONED for these words were uttered on Sept. 17, 1796. But events since, at home and abroad, have not refuted their wisdom.

The English, the Spaniards and the French all had potentially hostile bases in the New World for use against the Republic when Washington spoke. With the final defeat of Napoleon, a Holy Alliance was to come into existence, pledged to armed struggle against republicanism everywhere. The Monroe Doctrine was promulgated to deal with a real, not an imaginary, menace. For several generations the new Republic was ringed with enemies in this hemisphere.

Through all this period American leadership and American public opinion remained hostile to large standing armies and peacetime conscription. America survived better without them.

An avoidance of the burdens and dangers of militarism played its part in America's survival and growth to greatness. To say in the face of the past that for lack of UMT America has always been largely unprepared psychologically and physically is to confess the narrow military approach to the question of preparedness.

HAVE AMERICANS BEEN PHYSICALLY UNPREPARED in the past? In recent generations most of our immigrants have come from countries which had peacetime conscription and universal military training. Their children grew up in this country without the supposed physical benefits of UMT. Were the American children less fit to defend their country than the children of immigrants?

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training. Their children grew up in this country without the supposed physical benefits of UMT. Were the American children less fit to defend their country than the foreign-born parents? Famous studies have shown that the children of immigrants have consistently grown taller and huskier than their parents.

Physically the American is the best fed and among the healthiest of all the world's peoples. There are countries in which the financial burdens of large military establishments have cut into the nutrition and physical health of the population. The U. S. has not been one of these. In every real sense Americans have been physically well prepared to defend their country.

What of psychological preparedness? This depends on what one means. One form of psychological preparedness is to preach racial superiority, glorify force and war, inculcate the so-called martial virtues. The U. S. has not had the benefits of this kind of psychological preparedness for war in the past. This is the kind which leads nations into trouble, the kind of trouble the visitor could still smell last year in the ruins of Frankfurt and Munich, the smell of bodies still buried under broken walls.

THERE IS ANOTHER KIND OF PSYCHOLOGICAL PREPAREDNESS. Men fight well who love their country. They fight well when they feel that they are fighting to protect it, not to attack others. They fight well when conditions of freedom and opportunity and justice have given them a deep loyalty and gratitude. In this sense certainly America has always been well prepared psychologically for defense, better prepared than many countries which hand over their youth to be indoctrinated by the military, and taught to march and obey.

The fight against UMT is a fight to preserve what has made America strong, a fight against military nostrums which have enfeebled and poisoned many nations in the past. The Russophobia which is the excuse for UMT is only another variant of the phobias military men have always exploited.

Washington warned against that, too. "The nation," he said, "which indulges toward another an habitual hatred . . . is in some degree a slave. It is a slave to its animosity . . ." UMT is symbol and symptom of that kind of enslavement.

The Rosenberg Case

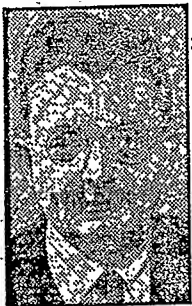
By I. F. STONE

THE ROSENBERG CASE IS A VERY UNHAPPY BUSINESS.

It would be easy if one could dismiss talk of Soviet atomic espionage as a myth. Unfortunately, the fact is undeniable. Allan Nunn May in Canada, Klaus Fuchs in England, David Greenglass and Harry Gold in this country all confessed to such espionage on behalf of the Russians.

These cases and the flight of the atomic physicist Bruno Pontecorvo to the U.S.S.R. two years ago show that the Russians have utilized ideological sympathies to recruit for scientific espionage. There is no doubt that all countries, our own included, operate spy networks exploiting such political sympathies as well as mercenary motivations.

To say this and to recognize that the phenomenon is as old as history may allay hysteria but it is also to admit that it exists and that every government necessarily and properly seeks to protect itself and its secrets from such activities.



STONE

THE ROSENBERG CASE would also be easy to argue if it were a whole truth and not a half-truth that there has long been no secret about the atom bomb. It cannot honestly be argued that many processes and much of the know-how were not secret. The Russians were eager to get just such information from their agents.

There is no doubt that the Russians would have developed an atomic bomb without the aid of such agents. There was no one secret which could be handed over, neatly packaged, for successful processing.

But there is also little reason to doubt that May, Fuchs and Pontecorvo did provide such useful information to the Russians. The Joint Congressional Committee's considered opinion is that this information may "have advanced the Soviet atomic energy program by 18 months as a minimum."

David Greenglass, the spy who implicated the Rosenbergs and claims to have been recruited by them, was of less importance. The sober report issued in April, 1951, on Soviet Atomic Espionage by the Joint Committee on Atomic Energy says "the bomb sketches and explanations that Greenglass—as a virtual layman—could prepare must have counted for little compared with the quantitative data and the authoritative scientific commentary upon atomic weapons that Fuchs transmitted." The report calls him "the least effective of the four spies, ranking behind Allan Nunn May in this regard."

GREENGLASS, THEN A 23-YEAR-OLD MACHINIST, with no scientific training, worked at Los Alamos in 1944 on high-explosive lens molds, which the Joint Committee report describes as "a crucial non-nuclear phase of the atomic bomb." Just how valuable was the information he could supply is open to question.

The Joint Committee report itself says "the diagrams and written explanation of the Nagasaki-type atomic bomb that he gave to courier Harry Gold have a theatrical quality." Informed comment by Scientific American, Life and Time at the time of the trial was astringent and skeptical.

All this is relevant to the question of the sentence. Fuchs was given 14 years and May 10, and the latter is about to be released from a British prison, after having served seven years. Greenglass was given 30 years in prison and the Rosenbergs were condemned to death.

IN THE AUTHORITATIVE JOINT COMMITTEE REPORT, the Rosenbergs, the only ones to be given the death sentence, figure as minor characters in the story. Their conviction rested essentially on the confession of Greenglass, and in such cases some doubt must always remain, especially since Greenglass seems to have saved his wife from any punishment and himself from the death penalty by turning State's evidence.

I have kept silent on the case so far because I was never persuaded by the campaign on behalf of the Rosenbergs. This campaign aroused many people but in some ways did more harm than good with its sentimentality, its distorted presentation of the facts, and its wild charges of anti-Semitism.

I have never been persuaded that the case was a frame-up. But I do believe the sentence imposed upon the Rosenbergs is barbaric, savage and way out of line with justice. It is fantastic and shameful that Rosenberg and his wife should be sent to the chair when Fuchs and May got 14 and 10 years in jail.

IN THE NAME OF HUMAN DECENCY and of humanity, because there will always be some element of doubt, and for the sake of this country's reputation, President Truman before leaving office ought to commute the sentence to the 30 years imprisonment which is provided in the statute.

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Noted Writer Joins Fight on Sedition Acts

PITTSBURGH.—The individual states do not need laws to punish alleged sedition, declares news analyst and noted correspondent I. F. Stone in his recent News-letter.

The article concerns the Nelson appeal from a 20-year sentence for alleged violation of the Pennsylvania Sedition Act.

The appeal is involved now in proceedings before the U. S. Supreme Court to which State Attorney General Frank Truscott—decisively repudiated by the voters in the November election—has appealed his own state's highest court's decision that threw out Nelson's conviction and invalidated the state law on grounds that the Federal Smith Act supersedes the State Act.

"The witch hunters have been quicker to see the significance of this (decision) than civil libertarians," Stone declares, citing the "friend of the Court" brief signed by the 27 lawyers. They realize, he points out, that a U. S. Supreme Court decision upholding the Pennsylvania high court ruling "will at one stroke end the growing number of instances in which state sedition acts are being used for local witchhunts."

*
"NONE more shockingly illustrates the easy abuse of such

statutes than the Louisville, Kentucky, case. There the prosecutor declares himself unable to find any clue to the men who dynamited a Negro home. Instead he is putting on trial (Nov. 29) six white defendants who helped the Negro buy that home in a white neighborhood. The charge is sedition but the real crime is an affront to white supremacy.

"In Miami, Florida, a local witch-hunt with distinct anti-Semitic overtones, received a setback last week when the Florida Supreme Court reversed contempt citations against 14 defendants who had pleaded the Fifth Amendment before a special Red-hunting grand jury. Seventeen others have appealed to the court against similar contempt convictions. The prosecutor now asserts that he will seek their indictment under the Florida sedition law. This provides that persons may be sent to jail for 20 years for belonging to any organization designated 'subversive.'

"One of the states joining in the appeal to the Supreme Court to reverse the Pennsylvania decision is Massachusetts. In a separate brief it cites the effect which a failure to reverse would have on

three pending prosecutions in that state.

These are the still untried 1951 indictment of Prof. Dirk J. Struik of MIT and a Malden businessman for sedition; the indictment last April of Otis Archer Hood for membership in a subversive organization; and the May indictment of Hood and others for "conspiracy to advocate."

★
THE BRIEF of the 27 lawyers supporting Truscott's appeal was drawn up by Attorney General Louis C. Wyman of New Hampshire, prosecutor of Paul M. Sweezy, economist and teacher for contempt allegedly committed during an investigation in that state under its sedition law.

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I. F. Stone Says High Court Broke Pledge on Smith Act Review

Daily Worker Washington Bureau.

WASHINGTON, Jan. 16.—The failure of the U. S. Supreme Court to review the Smith Act convictions of the Thirteen reflects the "moral cowardice which pervades our whole society," according to I. F. Stone in an editorial in his "Weekly" which will be on newsstands tomorrow.

So far the court has consented to review only one Smith Act case, said Stone. That review was confined to the issue of whether the government could validly enact a peacetime sedition statute.

"The court, in the first Foley Square case, decided that the Smith Act was constitutional but declined at that time to pass on the other issues raised. The court clearly promised to do so in future cases," Stone said.

He cited the statement of the late Chief Justice Vinson in the Dennis case: "Where there is doubt as to the intent of the defendants, the nature of their activities, or their power to bring about this evil, this court will review the convictions with the scrupulous care demanded by our Constitution."

Despite this promise, however, the court last year refused to hear the appeal in the Baltimore Smith Act case and now has declined a review of the Flynn case.

More than a 100 persons have been indicted under the Smith Act since the Dennis case, said Stone, and appeals are pending from mass convictions in Philadelphia, St. Louis and Hawaii. Others are awaiting trial in Denver, New Haven, Cleveland and Puerto Rico.

"Liberals who look the other way rather than risk defending the rights of Communists will have a bitter awakening," Stone said, "like that which they have experienced under loyalty and security procedures. For the day is coming when non-Communists too can and will be prosecuted under the Smith Act. Future Ladejinskys will go to jail.

"The prosecution of men for their opinion alone—whether disguised as 'conspiracy to advocate' or facilitated by group convictions under the 'membership' clause—is a cancer which must be excised or it will destroy the living tissue of a free society. The liberals on or off the bench know this very well but are afraid to act upon it."

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I. F. STONE charged that the Supreme Court broke its own pledge when it refused to review the conviction of Elizabeth Gurley Flynn and her 12 co-defendants under the Smith Act. Stone in his "Weekly" newsletter recalled the statement of the late Chief Justice Vinson, that the "intent of the defendants, the nature of their activities, or their power to bring about this evil" will be reviewed in future cases.

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Don Walter	

9 Appear at Inquiry Into Red Influence

NEW YORK, Dec. 6.—Nine witnesses appeared today at the Senate Internal Security Subcommittee's reopened investigation of Communist infiltration in the newspaper, radio and entertainment fields.

Sen. Thomas Hennings (D-Mo.), acting chairman, declined to identify those who appeared.

"It has always been the policy of this committee not to divulge the names of persons subpoenaed to testify at executive hearings," he said.

Hennings said the Subcommittee hoped to finish the New York phase of its hearings Wednesday.

Sources close to the Subcommittee said 45 subpoenas had been issued for both "friendly" and "unfriendly" witnesses.

One person who appeared at the closed hearing identified himself. The eight others would not give their names.

The one who talked to newsmen was John T. McManus, general manager of the left-wing newsweekly The National Guardian. McManus said he received a postponement until Wednesday for himself and James Aronson, executive edi-

tor of the magazine. He said his attorney was unable to be present today and Aronson was on jury duty.

Ban Asked on Senators' Buying Newsletter

The publisher of a weekly newsletter asked District Court yesterday to forbid the Senate Internal Security Subcommittee from buying copies of his publication.

I. F. Stone, editor and publisher of I. F. Stone's Weekly, asserted in a complaint that the Subcommittee sent him a Government voucher for \$5 for a one-year subscription to the weekly. He said he declined the subscription and wrote the Subcommittee that he thought it would be an unlawful expenditure of public funds.

The suit charged that the Subcommittee wanted to spend public funds in the purchase of newspapers and other publications "for the purpose of operating a thought-police program."

Sen. James O. Eastland (D-Miss.), chairman of the Subcommittee, was reached in Mississippi for comment on the suit. "It's bunk," the Senator declared.

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TODAY ABROAD

by Joseph Clark

E. F. Stone's Appraisal of Lenin

NO ONE need carp with J. F. Stone for spending only six days in the Soviet Union and then writing about that rather large country. Stone is a journalist of modest means and he's perfectly justified in giving us six days worth of vivid if surface impressions of Russia.

But Stone is not at all justified in trying to master and write about Marxism-Leninism in also in a few days. After all, he has spent decades studying the subject of civil liberties and he is a profound expert on the matter. But on returning from Moscow Stone tells us he bought up a mass of literature by Lenin and Stalin. Within a few days he wrote an essay on Lenin and Leninism, which is embarrassing in its ignorance.

STONE explores a perfectly legitimate subject: to what extent Lenin and Leninism is valid in our day and under Western conditions. But his exploration—no matter how sincere and honest in intent—leads him to a grotesque caricature of Marxism. Stone writes:

"Lenin emphasized not the economic determinism of Marxism but its hidden idealism—that is, its appeal to men to take their destinies in their own hands and change the world. Lenin believed that the revolution could not be brought about by the working class but only

if conscious revolutionaries drawn from the old possessing classes forced the revolution on the working class from above, against their natural instincts."

One hardly knows where to begin, since there's nothing of Marx, less of Lenin, and all Stone in those two sentences. Lenin couldn't emphasize the "economic determinism" of Marx because Marx and Engels sharply opposed such a determinist view of history.

Lenin, like Marx of course, believed that the emancipation of the working class is the task of the working class itself.

Neither Lenin nor Marx believed the working class could accomplish this task without leadership by "conscious revolutionaries," which both of them were in their respective day and age.

Neither thought, wrote or intimated that these "conscious revolutionaries" would, could or should "force" the revolution on the working class.

Both Marx and Lenin knew that the "natural instincts" of the working class brought them into collision with the capitalist class. But both Marx and Lenin taught that socialism as a science had to be imparted to the working class. They taught that the joining of the labor movement with the science of socialism would ultimately bring the socialist revolution.

STONE challenges those who think he exaggerates, in the passage quoted above, to read or reread Lenin's "What Is to Be Done." Dutifully, I reread it and can only marvel at what Stone offers as a summary of this work.

Lenin disputed the idea, in that booklet, that the spontaneous struggle of the working class for economic demands can in itself lead to a socialist transformation. Lenin notes that socialism became a science with Marx and Engels. It's not as Stone so unjustly suggests that "Lenin didn't trust—the working class!" Just as chemistry was developed by chemists and biology by biologists, socialism as a science was developed by social scientists, the outstanding of them being Marx and Engels.

Lenin does not say or suggest that this science must be forced on the workers. What Lenin stressed was the need of a Marxist Party to conduct educational activity and to impart socialism to the working class movement.

Lenin showed his profound faith in the ability of the workers to master scientific socialism. He does so in one passage of "What Is to Be Done," a passage which Stone couldn't possibly have read. He couldn't have read it because I think Stone is an honest man and the passage directly refutes his summary of Lenin's alleged intent to "force" socialism from

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On I. F. Stone

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above on the workers.

Lenin wrote that the workers have a part in creating socialist ideology. He wrote: . . . "the workers themselves wish to read and do read all that is written for the intelligentsia and it is only a few (bad) intellectuals who believe that it is sufficient for the workers to tell them a few things about factory conditions, and to repeat over and over again what has long been known."

STONE says Soviet society "is a paradise only for a rather stupid type of Communist Party member, good but sharply limited." But in the Soviet Union I knew workers who had read Lenin's "What Is to Be Done" and who, like me, would be embarrassed to discuss the booklet on the basis of Stone's analysis because his analysis is so empty, so sharply misleading.

Stone has some cogent criticism of Soviet society. But his effort to relate the shortcomings and failings to Lenin flops for the simple reason that he didn't acquaint himself with Lenin's work or writings. In my own opinion there is definitely a relationship between what happened in the Soviet Union when Lenin was alive and some of the negative developments under Stalin. Stone hasn't probed that at all, and I hope to continue this discussion in my next column.

The Daily Worker
June 1, 1956
Page 8, Col. 1

A New Career for Izzie

With its forthcoming special issue, I. F. Stone's Weekly — lately known as I. F. Stone's Bi-Weekly — ceases publication after almost 20 years of success as the biggest one-man show in Washington. But for Izzie Stone, this signifies not an ending but a new beginning.

Izzie — friend or foe, nobody ever called him anything but Izzie — got into newspaper publishing in the classic manner. After a series of jobs with a series of New York-based liberal papers, he found himself an unemployed journalist. He started his own paper in order to have a place to publish himself.

He moves now from his own base to a

part-time columning job for the New York Review of Books where his discipline, restraint and self-editing are bound to be something of a novelty.

Izzie Stone is a man of the left. But his great contribution to Washington journalism lay not in his political views but in his simple gift for digging. Partly deaf through a good many of his best years, he relied to a large degree upon very close reading of the actual government documents that other reporters would accept in the summarized form of press releases by the interested parties.

We wish him luck in his new career as a columnist.

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